



भारत का राजपत्र

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इस भाग में भिन्न पृष्ठ संख्या वी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

(राज मंत्रालय को छोड़ कर) भारत सरकार के मंत्रालयों और (संघ राज्यकोष प्रशासनों को छोड़ कर)
केन्द्रीय प्राधिकारियों द्वारा जारी किये गए सारिक घावेश और अविसूचनाएं

**Statutory Orders and Notifications issued by the Ministries of the Government of India
(other than the Ministry of Defence) by Central Authorities (other than the
Administrations of Union Territories)**

ELECTION COMMISSION OF INDIA

ERRATUM

New Delhi, the 19th September, 1979

S.O. 3383.—In Election Commission's Notification published in Hindi as का० आ० 505 (प्र) and in English as 'S.O. 505(F)' at page 869 and 870, respectively, of the Gazette of India Extraordinary, Part II Section 3 (ii) dated the 4th September, 1979 for 'नई दिल्ली, १ अक्टूबर, 1979' and 'New Delhi, the 4th September, 1979' appearing, respectively, as the date of the Notification, read "नई दिल्ली, 31 अगस्त, 1974" and "New Delhi, the 31 August, 1979"

[No. 429/DNH/79/537]

O. N. NAGAR, Under Secy

भारत निर्वाचन आयोग

का० आ० 3384—लोक प्रतिनिधित्व प्रधिनियम, 1951 की धारा 106 के अन्वयन में निर्वाचन आयोग, 1977 की निर्वाचन वर्जी भ० में दिया गया उच्च आयोग, विहारपट्टना, काशीगंगा ३ वित्तम०, 1977 का आदेश प्रकाशित करता है।

[मे० ९२/विधार-लो० स०/२/७७]

मे० ग्रा० चत्वा,
प्रवर मविव

In the High Court of Judicature at Patna

Election Petition 2 of 1977

Binay Krishna Singh Petitioner
VFRSUS
Shri Shyam Sundar Gupta & ors . . . Respondents

61. 3-9-79

Mr. Rajendra Pd, learned counsel for the election petitioner, submits that since the Lok Sabha has been dissolved, the present election petition has become infructuous and consequently he does not press it. Mr. R. N. Roy, appearing for the contesting respondent no. 1 also joins in the aforesaid submission of Mr. Rajendra Prasad, and he also does not press for any cost.

In the result, the election petition is dismissed as not pressed, having become infructuous, because of the dissolution of the Lok Sabha.

Sd. M. Prasad.

New Delhi, the 15th September, 1979

S.O. 3385.—In pursuance of section 106 of the Representation of the People Act, 1951 (43 of 1951), the Election Commission hereby publishes the judgment dated the 13th November, 1978 of the High Court of Karnataka at Bangalore in Election Petition No. 1 of 1977.

BEFORE THE HON'BLE MR. JUSTICE : N. R. KUDOOR,
IN THE HIGH COURT OF KARNATAKA, AT
BANGALORE

Dated the 13th day of November, 1978

Election Petition No. 1/1977

G. N. Nallur Gowda S/o, Sri Laxme Gowda Major, Industrialist and Businessman, Resident of Hassan-- Petitioner

VS.

1. S. Nanjesh Gowda S/o Shive Gowda, Major Contractor, No. 591, Krishnarajapuram, Hassan.
2. Sannadevaiah, H P S/o Puttarah Major Agriculturist Resident of Holalagodu Mallipatna Hobli Arakalgud Taluk Hassan District--Respondents

Election Petition filed by the Petitioner under Section 81 of the Representation of the People Act, 1951 challenging the election of the Respondent No. 1 to the House of the People from 19th Hassan Parliamentary Constituency in the General Election held on 19th day of March, 1977, and seeking an order that this Court may be pleased,

(1) to Order scrutiny and recount of the Ballot papers of the constituencies attached to 19th Hassan Parliamentary Constituency.

(2) To declare the election of the first respondent to the House of the People from the 19 Hassan Parliamentary Constituency as void.

(3) To declare that the petitioner have been duly elected on the basis of recount and scrutiny for the said 19 Hassan Parliamentary Constituency and

(4) to award costs of the petition.

This Election Petition coming on for trial on 16-6-1978, 28-6-1978, 29-6-1978, 30-6-1978, 3-7-1978, 4-7-1978, 5-7-1978, 10-7-1978, 11-7-1978, 12-7-1978, 13-7-1978, 13-7-1978, 17-7-1978, 18-7-1978, 19-7-1978, 20-7-1978, 21-7-1978, 24-7-1978, 25-7-1978, 4-8-1978, 11-8-1978, 18-8-1978, and 25-10-1978.

Sri A. K. Channegowda Advocate for the Petitioner and Sri C. V. Guruve Gowda and Sri V. K. Varadachari Advocate for Respondent No. 1 and Respondent No. 2 and his Counsel having been absent and this Election Petition having stood over for consideration and in view of the Memo dated 13-11-1978 filed by the Advocate for the petitioner for the dismissal of the Petition for the reasons stated therein, the Court made the following order the 13th day of November, 1978.

ORDER

NARAYAN RAI KUDOOR, J.—Shri Kalasa Shamanna, learned counsel for the petitioner, has filed a memo on behalf of the petitioner stating that in view of the order passed by this Court on I.A. Nos. II and IV, the petitioner desires not to press the petition and the same may be dismissed directing the parties to bear their own costs in view of the facts and circumstances of the case.

2. Shri C. V. Guruve Gowda, learned counsel appearing for the contesting 1st respondent, however, prays for the costs in view of the fact that the 1st respondent has incurred heavy expenditure in defending the petition and he has spent Rs. 1658-95 towards the witness batta alone.

3. In the light of the memo filed on behalf of the petitioner and also taking into consideration the submission made on either side regarding the cost, I make the following order :

The Election Petition is dismissed with costs. The petitioner is liable to pay a consolidated sum of Rs. 2,500 being the cost fixed to the 1st respondent. The 1st respondent is entitled to receive the cost out of the security amount deposited and the balance from the petitioner.

4. Further action shall be taken as stipulated under Section 103 of the Representation of the People Act, 1951.

N. R. KUDOOR, Judge
[No. 82/KT-HP/1/77/78]

V. K. RAO, Under Secy

वित्त मंत्रालय

(राजस्व विभाग)

नई दिल्ली २ अगस्त, १९७९

प्राय-कर

का० आ० ३३८६.—मर्बंसाधारण को जानकारी के लिए यह अधिसूचित किया जाना है कि प्राय-कर अधिनियम, 1961 की धारा 35 (1) (ii) के अधिन अधिसूचना सं० ३४ सारीख २४-११-१९४६ द्वारा टाटा प्राइवेट एंड स्ट्रीट इंडस्ट्री, जम्गेंदपुर को दिया गया अन्तिम विहिन प्राविकारी अधिनियम गविन, विज्ञान और प्रौद्योगिकी विभाग, नई दिल्ली की घोषणा पर १ अक्टूबर, 1978 से आया निया जाता है।

[सं० २९५४/फा० सं० २०३/३४/७४-आ० क०स्ट० II]

ज० प० शर्मा, निदेशक

MINISTRY OF FINANCE

(Department of Revenue)

New Delhi, the 2nd August, 1979

INCOME-TAX

S.O. 3386.—It is hereby notified for general information that the approval given under Section 35 (1) (ii) of the Income-tax Act, 1961 to Tata Iron & Steel Industry, Jamshedpur, by notification No. 34 dated 24-11-1946 is withdrawn with effect from 1st January, 1978 on the recommendation of the prescribed authority, the Secretary, Department of Science & Technology, New Delhi.

[No. 2954/F. No. 203/39/79-ITA.II]

J. P. SHARMA, Director

प्रादेश

नई दिल्ली, १८ अगस्त, १९७९

स्टाम्प

का० आ० ३३८७.—यह टाटा आयल मिल्स कम्पनी निमिट्टे ने जून, १९७६ में अरण-पत्रों के रूप में एक करोड़ औ लाख उन्नतालीम हजार एक सौ सप्तर रुपये के अंकित मूल्य के बंधपत्र जारी किये;

प्राय-कर उक्त कम्पनी ने, उक्त अरण-पत्र जारी करने से पहले उक्त अरण-पत्रों पर लगने वाला एक लाख छठ हजार आठ सौ तीम रुपये तीस पैसे २३ जून, १९७६ को महाराष्ट्र सरकार के पास जमा कर दिया था।

प्रत्यक्ष अवधि, भारतीय स्टाम्प अधिनियम 1899 (1899 का 2) की धारा 9 की उपधारा (1) के अन्दर (ब) द्वारा प्रदत्त अधिकारी को प्रयोग करने द्वारा, केन्द्रीय सरकार एन्डव्हारा नियेश देती है कि (टाटा आयल मिल्स कम्पनी निमिट्टे द्वारा जारी किये गये एक करोड़ औ लाख उन्नतालीम हजार एक सौ सत्तर रुपये के अंकित मूल्य के उक्त अरण-पत्रों पर स्टाम्प गुम्बा के रूप में उक्त कम्पनी द्वारा जमा की गई) एक लाख छठ हजार आठ सौ तीम रुपये और तीस पैसे का राशि को म्याम गूर्क का नन्हीने के अंतर्यामी की गई अदायगी समझा जाएगा।

[सं० ३०/७९-स्टाम्प-फा० सं० ३३/२४/७४-वि० क०]
प्राय-कर डॉ० रामस्वामी, प्रब्र सचिव

ORDER

New Delhi, the 18th September, 1979

STAMPS

S.O. 3387.—Whereas the Tata Oil Mills Company Limited issued in June, 1976 bonds in the form of debentures of the total face value of rupees one crore, six lakhs, thirty nine thousands, one hundred and seventy;

And whereas the said Company had, prior to the issue of the said debentures, deposited on the 23rd day of June, 1976 with the Government of Maharashtra consolidated stamp duty amounting to rupees one lakh, six thousand, eight hundred and thirty and paise thirty on the said debentures;

Now therefore, in exercise of the powers conferred by clause (b) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby directs that the amount of rupees one lakh six thousand eight hundred and thirty and paise thirty (deposited by the Tata Oil Mills Company Limited towards stamp duty on the said debentures of the face value of rupees one crore six lakhs thirty nine thousands one hundred and seventy issued by the said Company shall be treated as payment by way of composition of stamp duty.

[No. 30/79-Stamp. F. No. 33/24/79-ST]
S. D. RAMASWAMY, Under Secy.

प्राविक रायं विभाग

(वैकारी व्रस्तान)

नई दिल्ली, १९ अगस्त, १९७९

का० आ० ३३८८—वैकारी विभाग अधिनियम 1949 (1949 का 10) की धारा ५३ द्वारा प्रदत्त अधिनियमों का प्रयोग करने द्वारा, केन्द्रीय सरकार

भारतीय रिजर्व बैंक की सिक्कारिय पर एन्ड्रारा शोषणा करनी है कि उक्त अधिनियम की धारा 10 खंक की उपधारा (9) के उपबंध 31 अगस्त, 1979 तक विजया बैंक लिमिटेड, मंगलौर पर उम्मीद नाम नहीं होंगे जहाँ तक कि वे भारत माह से ऊपर की अवधि के नियमक्रम का कार्यमार सम्भालते के लिये किसी व्यक्ति को नियुक्त करने के सम्बन्ध में बैंक पर रोक नपाते हैं।

[संख्या 15 (30)-बी० ओ०-III/79]

(Department of Economic Affairs)
(Banking Division)

New Delhi, the 19th September, 1979

S.O. 3388.—In exercise of powers conferred by section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declare that the provisions of sub-section (9) of section 10B of the said Act shall not, to the extent they preclude the bank from appointing a person to carry out the duties of a Chairman beyond a period exceeding four months, apply to the Vijaya Bank Ltd., Mangalore, up to the 31st December, 1979.

[No. 15(30-B.O. III/79]

का० ओ० 3389:—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिक्कारिय पर एन्ड्रारा शोषणा करती है कि उक्त अधिनियम की धारा 19 की उपधारा (2) के उपबंध, इस अधिनियम के जारी होने की मार्गी तक नाम नहीं होंगे जहाँ तक इस बैंक का संबंध, गिरवीवार (प्लेजी) के रूप में मैसर्स बगल हैल्फ एंड कैमिकल बर्कम लिमिटेड के 10 लक्ष्यों के 10,050 शेयरों की धारिता में है।

[संख्या 15 (29)-बी० ओ०-III/79]

एन बी० बत्रा, अवर सचिव

S.O. 3389.—In exercise of the powers conferred by Section 53 of the Banking Regulation Act, 1949 (10 of 1949) the Central Government on the recommendation of the Reserve Bank of India hereby declares that the provisions of sub-section (2) of Section 19 of the said Act shall not apply to the United Bank of India, Calcutta for a period of 2 years from the date of issue of this notification in respect of its holding 10,050 shares of Rs. 10 each in M/s. Bengal Health & Chemical Works Ltd., as pledges.

[No. 15(29)-B.O. III/79]

N. D. BATRA, Under Secy.

नई दिल्ली, 20 सितम्बर, 1979

का० ओ० 3390:—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 56 के माथ पठित धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, भारतीय रिजर्व बैंक की सिक्कारिय पर केन्द्रीय सरकार एन्ड्रारा शोषणा करती है कि उक्त अधिनियम की धारा 18 और 24 के उपबंध इस अधिनियम के भारत के राज्यत में प्रकाशित होने की मार्गी तक नाम नहीं होंगे जहाँ तक कि उक्त उपबंध इस बैंक से यह अपेक्षा करते हैं कि वह दिल्ली मंड शासित क्षेत्र में कृषकों को दीवारिधि कृषि औषण प्रदान करने के प्रयोजन के लिए अपने द्वारा जारी किये गये किन्तु दिवेंधरों से उत्पन्न आपनी देयता के मंबंध में उत्तमेकमश. उत्तिक्षिण नकदी प्रारंभिक निधि और चल आस्तियों का प्रतिशत बनाये रखे।

परन्तु दिवेंधरों के प्रतिवान के प्रयोजन के लिए एवं जाने वाली शोधन निधि के लिये की शोक अनुमोदित प्रतिभूतियों और शोधन निधि में नियोग होने तक नकदी या बैंक जमा के रूप में बैंक द्वारा रखी गई असूष-राशियों को उक्त अधिनियम की धारा 18 और 24 के प्रयोजनों के लिए नकदी प्रारक्षित निधि या चल आस्तियों के रूप में नहीं दिया जाएगा।

[संख्या 8 (26)/78-ए०मी०]

यशवंत राज, अवर सचिव

New Delhi, the 20th September, 1979

S.O. 3390.—In exercise of the powers conferred by Section 53 read with section 56 of the Banking Regulation Act, 1949 (10 of 1949) the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of sections 18 and 24 of the said Act shall not, for a period of 5 years from the date of publication of this notification in the Gazette of India apply to the Delhi State Co-operative Bank Ltd., Delhi in so far as the said provisions require it to maintain the percentage of cash reserve and liquid assets respectively mentioned therein, in respect of its liability arising out of any debentures issued by it for the purpose of granting long-term agricultural loans to the agriculturists in the Union Territory of Delhi.

Provided that approved securities representing investment of the sinking fund maintained for the purpose of redemption of debentures and recoveries held by the bank in the form of cash or bank balances pending investment in the sinking fund shall not be reckoned as cash reserve or liquid assets for the purposes of sections 18 and 24 of the said Act.

[No. 8 (26)/79-AC]

YASHWANT RAJ, Under Secy.

(ध्यय विभाग)

शुद्धी पत्र

नई दिल्ली, 19 सितम्बर 1979

का० ओ० 3391:—भारत सरकार के वित्त मन्त्रालय व्यवस्था विभाग की भारत के राजपत्र भाग II खंड 3 उपबंध (ii) में दिनांक 9 जून, 1979 को पृष्ठ संख्या 1660 पर प्रकाशित अधिनियम का ओ० 1888 के हित्री पाठ में,

1. निदेशक लेखा परीक्षा (खाता) लब्धानक" के स्थान पर
 2. निदेशक लेखा परीक्षा (खाता) नई दिल्ली
 3. केन्द्रीय लेखा परीक्षा कार्यालय (खाता) लब्धानक"
- पढ़ा जाए।

[मि० स० ए-11019/1/79 ई० जी० 1]

प्रम० के० दाग, अवर सचिव

केन्द्रीय प्रत्यक्ष कर बोर्ड

नई दिल्ली, 7 मई, 1979

(आध-कर)

का० ओ० 3392:—केन्द्रीय प्रत्यक्ष कर बोर्ड, आध-कर अधिनियम, 1961 (1961 का 43) की धारा 121 को उपवारा (1) द्वारा प्रदत्त शक्तियों द्वा० प्रयोग करने हुए, ममक-ममय पर यात्रामंजीष्ट अपनी अधिनियम सं० 679 (का० सं० 187/2/74-ओ० क० (ए१) तारीख 20 जुलाई, 1974 से मंप्रन अनुसूची में निम्नलिखित संग्रहन करता है, अवति:-

- कम सं० 23-ड के सामने स्तर 1 ग्रोर 2 के नोंबे का प्रतिशतीं में निम्नलिखित संशोधन किए जाएंगे-
- संभंध 1 आमनसाल के स्थान पर पाल्पमी बगल 14 पढ़े
- संभंध 2 आसनसाल के स्थान पर कलकता पढ़े

यह अधिनियम 8-5-1979 से प्रभावी होगी।

[म० 2904 (का० सं० 187/24/78-ओ० क० (ए१)]

प्री० प्रम० दिग्न, अवर सचिव

CENTRAL BOARD OF DIRECT TAXES

New Delhi, the 7th May, 1979

INCOME-TAX

S.O. 3392.—In exercise of the powers conferred by sub-section (1) of Section 121 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes hereby makes the following amendments to the Schedule appended to its Notification No. 679 (F. No. 187/2/74-IT(AI), dated 20th July, 1974 as amended from time to time.

The existing entries under Columns 1 & 2 against S. No. 23M shall be amended as under:—

Column 1 : FOR READ	Asansol West Bengal-XIV
Column 2 : FOR READ	Asansol Calcutta.

This notification shall take effect from 8-5-1979.

[No. 2804 (F. No. 187/24/78-IT(AI)
P. N. JHINGON, Under Secy.

नई दिल्ली, 16 मई, 1979

आयकर

का० ३३९३.—केन्द्रीय प्रत्यक्ष कर बांड, आयकर प्रधिनियम, 1961 (1961 का 43) को धारा 121क की उपवाग (1) द्वारा प्रदत्त शरितयों का प्रयोग करते हुए और प्रधिसूचना सं० 2604 (फा० सं० 261/16/78-आई दी जे) तारीख 28-11-1978 की अधिकान्त करने हुए, निवेश देता है कि नीचे दी गई प्रन्तुसूची के सम्बन्ध (1) में विनियित भारतसाधन करने वाले आयकर आयकर (प्रपील) उसके सम्बन्ध (2) और सम्बन्ध (3) की तस्वीरों प्रविलियों में विनियित आयकर बांड, सर्किल, जिलों और रेंजों में ऐसे सभी व्यक्तियों के बारे में, जिन पर आयकर या अतिकर या व्यापकर निर्धारित किया गया है और जो आयकर प्रधिनियम, 1961 की धारा 246 की उपधारा (2) के अंश (क) से (ज), व्यापकर प्रधिनियम, 1974 (1974 का 45) की धारा 15 की उपधारा (1) में वर्णित किसी व्यवेश से व्युत्पत्ति है और ऐसे व्यक्तियों या व्यक्तियों के बारे में भी, जिनके लिए बोर्ड ने आयकर प्रधिनियम, 1961 की धारा 246 की उपधारा (2) के अंश (1) के उपनिवेशों के अनुसार निवेश दिया है या व्यविष्य में निर्देश दे, अन्ते हस्तों का पालन करेंगे।

प्रन्तुसूची

भारतसाधन और मुख्यालय	आयकर बांड और सर्किल	सहायक आयकर आयकर (निरीक्षण) का रेंज
1	2	3
1. आयकर आयकर (प्रपील) राजस्थान- 1, जम्पुर	विनियित स्थानों पर सभी बांड/सर्किल: 1. केन्द्रीय सर्किल, जम्पुर को छोड़कर, जम्पुर।	1. सहायक आयकर आयकर (निरीक्षण), रेंज-1, जम्पुर
2. सम्पदा	2. सम्पदा एवं आयकर सर्किल, जम्पुर	2. सहायक आयकर आयकर (सहायक), जम्पुर।
3. भजमेर	3. भजमेर	3. सहायक आयकर आयकर (निरीक्षण)
4. बेवर	4. बेवर	4. सहायक आयकर
5. कोटा	5. कोटा	आयकर (निरीक्षण)
6. कुंटी	6. कुंटी	उदयपुर रेंज, उदय-
7. सर्वाई	7. सर्वाई	पुर
8. माध्यपुर	8. माध्यपुर	5. सहायक आयकर

1	2	3
8. मालवार	8. मालवार	आयकर (निरीक्षण),
9. सिकार	9. सिकार	भजमेर रेंज, भजमेर
10. शुनमुनू	10. शुनमुनू	11. उदयपुर
11. उदयपुर	11. उदयपुर	12. चित्तौड़गढ़
12. चित्तौड़गढ़	12. चित्तौड़गढ़	13. भीलवाड़ा
13. भीलवाड़ा	13. भीलवाड़ा	14. मिर्हाई
14. मिर्हाई	14. मिर्हाई	1. सहायक आयकर
		आयकर (निरीक्षण),
		रेंज I, जम्पुर।
		2. सहायक आयकर
		आयकर (निरीक्षण)
		जोधपुर रेंज, जोध-
		पुर।
		3. सहायक आयकर
		आयकर (निरीक्षण),
		बीकानेर रेंज, बीका-
		नेर।
		3. जोधपुर-I
		4. बलबर
		5. भरतपुर
		6. पाली
		7. बांडेमेर
		8. जेलोर
		9. बीकानेर
		10. नालोर
		11. चंड
		12. श्रीगंगानगर
		13. हनुमानगढ़।

जहाँ कोई आयकर सर्किल, बांड या जिला या रेंज या उसका भाग इस प्रधिसूचना द्वारा एक भारतसाधन से किसी भूम्य भारतसाधन को अन्तरित हो जाता है, वहाँ उस आयकर सर्किल, बांड या जिले या रेंज या उसके भाग में किए गए निर्धारणों से उपर्यन्त होने वाली और उस भारतसाधन के, जिससे वह आयकर सर्किल, बांड या जिला या रेंज या उसका भाग अन्तरित हुआ है, सहायक आयकर आयकर (प्रपील) के समक्ष इस प्रधिसूचना की तारीख के ठीक पूर्व लंबित प्रीलिंग उस तारीख से जिस तारीख को यह प्रधिसूचना प्रभावी होती है, उस भारतसाधन के, जिसको उक्त सर्किल, बांड या जिला या रेंज या उसका भाग अन्तरित हुआ है सहायक आयकर आयकर (प्रपील) को अन्तरित की जाएगी और उसके द्वारा उन पर कार्यवाही की जाएगी।

यह प्रधिसूचना 1-5-1979 से प्रभावी होगी।

[सं० 2818 (फा० सं० 261/16/78-आई दी जे)]

New Delhi, the 16th May, 1979

INCOME-TAX

S.O. 3393.—In exercise of the powers conferred by sub-section (1) of Section 121A of the Income-tax Act, 1961 (43 of 1961) and in supersession of Notification No. 2604 (F. No. 261/16/78-IT) dated 28-11-78 the Central Board of Direct Taxes hereby directs that the Commissioners of Income-Tax (Appeals) of the charges specified in Column (1) of the Schedule below, shall perform their functions in respect of such persons assessed to Income-tax or Sur-tax or Interest Tax in the Income-tax Wards, Circles, Districts and Ranges specified in

the corresponding entries in column (2) and column (3) thereof as are aggrieved by any of the orders mentioned in clauses (a) to (h) of sub-section 2 of section 246 of the Income-tax Act, 1961, in sub-section (1) of Section 15 of the Interest Tax Act, 1974 (45 of 1974) and also in respect of such persons or classes of persons as the Board has directed or may direct in future in accordance with the provisions of clause (i) of sub-section (2) of Section 246 of the Income-tax Act, 1961.

SCHEDULE

Charge with Head- Income-tax Wards & Ranges of Inspecting quarters Circles Assistant Commissioner of Income-tax

1	2	3
1. Commissioner of Income-tax (Appeals) Rajasthan-I Jaipur	All Wards/Circles at : 1. Jaipur excepting Central Circles, Jaipur. 2. Estate Duty-cum-Income-tax Circle, Jaipur.	1. Inspecting Asstt. Commissioner of Income-tax, Range-I Jaipur. 2. Inspecting Asstt. Commissioner of Income tax, Range-II, Jaipur. 3. Ajmer 4. Beawer 5. Kota
	6. Bundi 7. Sawai Madhopur 8. Jhalawar 9. Sikar 10. Jhunjhunu 11. Udaipur 12. Chittorgarh 13. Bhilwara 14. Sirohi	3. Inspecting Asstt. Commissioner of Income-tax (Asstt) Jaipur 4. Inspecting Asstt. Commissioner of Income tax, Udaipur Range, Udaipur.
2. Commissioner of Income-tax (Appeals) Rajasthan-II Jaipur	All Wards/Circles at : 1. Central Circle, Jaipur 2. Estate-cum-Income tax Circle, Jodhpur 3. Jodhpur 4. Alwar 5. Bharatpur 6. Pali 7. Barmer 8. Jalore 9. Bikaner 10. Nagaur 11. Churu 12. Sriganganagar 13. Hanumangarh	1. Inspecting Asstt. Commissioner of Income tax, Range-I Jaipur. 2. Inspecting Asstt. Commissioner of Income tax, Jodhpur Range, Jodhpur 3. Inspecting Asstt. Commissioner of Income tax, Bikaner Range, Bikaner.

Whereas the Income-tax Circle, Ward or District or Range or part thereof stands transferred by this Notification from one charge to another charge, appeals arising out of the assessments made in that Income-tax Circle, Ward or District or Range or part thereof and pending immediately before the date of this notification before the Commissioner of Income-tax (Appeals) of the Charge from whom that Income-tax Circle Ward or District or Range or part thereof is transferred shall from the date of this

notification takes effect, be transferred to and dealt with by the Commissioner of Income-tax (Appeals) of the charge to whom the said Circle, Ward or District or Range or part thereof is transferred.

This notification shall take effect from 1-5-1979.

[No. 2818 (F. No. 261/16/78-ITJ)]

आय-कर

क्रा० आ० 3394.—केन्द्रीय प्रत्यक्ष कर बोर्ड, आय-कर प्रधिनियम, 1961 (1961 का 43) की धारा 121A की उपधारा (1) द्वारा प्रदत्त प्रतिक्रियों का प्रयोग करने हुए और सभी पूर्ववर्ती प्रधिमूलनार्थी को अधिकारीनाम से हटाया, निदेश देता है कि नीचे दी गई अनुसूची के सम्बन्ध (1) में विनिविल भारताधन करने वाले आय-कर आयुक्त (अधीक्ष), उसके सम्बन्ध (2) और स्वाम (3) की सन्तानी प्रविटियों में विनिविल आय-कर बांडी, सरकिल, जिलों और रेजों में ऐसे व्यक्तियों के बारे में जिन पर आय-कर, अतिकर या व्याज-कर निर्धारित किया गया है, प्रो० और जो आय-कर प्रधिनियम, 1961 की धारा 246 की उपधारा (2) के खंड (क) से (ज), कम्पो (नाम) अतिकर प्रधिनियम, 1964 (1964 का 7) की धारा 11 की उपधारा (1) और व्याज-कर प्रधिनियम, 1974 (1974 का 45) की धारा 15 की उपधारा (1) में थपित कियी आदेश से व्यक्त है और ऐसे व्यक्तियों या व्यक्ति वर्ग के बारे में भी, जिन के लिए बोर्ड ने आय-कर प्रधिनियम, 1961 की धारा 246 की उपधारा (2) के खंड (1) के उपशब्दों के अनुमान नियंत्रण दिया है या भविष्य में नियंत्रण दे, अपने हृत्यों का पालन करेंगे।

अनुसूची

भारताधन और मुद्रावाल्य	आय-कर वांड सरकिल	महायक आय-कर (निरीक्षण) का रेज
1	2	3
आय-कर	1. सभी बांड/सरकिल	1. आय-कर आयुक्त, लूटियाणा की प्रधिकारिता के भीतर सभी रेज।
आयुक्त (अधीक्ष)	जिनके अन्तर्गत आय-कर आयुक्त हस्तियाणा की प्रधिकारिता के भीतर सम्पदा शुल्क भी है।	2. स० आ० (नि०) रेज, चण्डीगढ़।
चण्डीगढ़।	2. चण्डीगढ़ स्थित मध्य वांड सरकिल (केन्द्रीय सरकिल को छोड़कर)।	3. स० आ० (नि०) (सहायक) गोहतक।

यह प्रधिमूलना 7-5-1979 से प्रभावी होगी।

[स० 2818 (फा० स० 261/4/78—प्राई० टी० ज०)]

Income-Tax

S.O. 3394.—In exercise of the powers conferred by sub-section (1) and in supersession of all the previous notification of section 121A of the Income-tax Act, 1961 (43 of 1961) the Central Board of Direct Taxes, hereby direct that the Commissioners of Income-tax (Appeals) of the charges specified in column (1) of the Schedule below, shall perform their functions in respect of such persons assessed to income-tax or surtax or interest-tax in the Income-tax Ward, Circle, Districts and Ranges specified in the corresponding entries in columns (2) and column (3) thereof as are aggrieved by any of the orders mentioned in clauses (a) to (h) of sub-section (2) of section 246 of the Income-tax Act, 1961, in sub-section (1) of Section II of Companies (Profits) Surtax Act, 1964, (7 of 1964), and in sub-section (1) of section 15 of the Interest tax Act, 1974 (45 of 1974) and also in respect of such persons or classes of persons as the Board has directed or may direct in future in accordance with the provisions of clause (i) of sub-section (2) of Section 246 of the Income-tax Act, 1961

SCHEDULE

Charges with Headquarters	Income-tax Wards and Circles	Ranges of Inspecting Asstt. Commissioner of Income-tax.
1	2	3
Commissioner of Income-tax (Appeals) Chandigarh	1. All Wards/Circles including E.D. circles the jurisdiction of within the jurisdiction Commissioner of Income-tax, Haryana Income-tax, Haryana. 2. All Wards/Circles (excepting Central Circle located at Chandigarh)	1. All Ranges within 2. I.A.C. Range (Asstt.) Rohtak.
		3. I.A.C. (Asstt.)

This notification shall take effect from 7-5-1979

[2819 (F. No. 261/4/79-ITJ)]

का० ३३९५—केन्द्रीय प्रत्यक्ष कर बोर्ड, आय-कर अधिनियम, 1961 (1961 का 43) की धारा 122 की उपधारा (1) द्वारा प्रदत्त शक्तियों और इस नियम उस समर्थ बनाने वाली सभी आय अक्षियों का प्रयोग करने हुए, तथा बोर्ड की अधिसूचना स० 2833 (का० स० 261/7/78-आइ टी जे), तारीख 7 जूलाई, 1978 का आधिकारिक उपान्तरण करने हुए, नियम देता है कि सीधे दी गई अनुसूची के स्तरम् (2) में विनियिष्ट रेज के महायक आय-कर आयुक्त (अपील), ऐसे सभी अक्षियों और आयों को छोड़कर, जिनकी वाकत अधिकारिता आय-कर आयुक्त (अपील) में निहित है, अन्य सभी अक्षियों और आयों के सम्बन्ध में, जिन पर उसके स्तरम् (2) की तत्सम्बन्धी प्रविष्टि में विनियिष्ट आय-कर सर्किलों, वार्डों और जिलों से आय-कर नियर्वासित किया गया है, अपने कृत्यों का पालन करें।

मनुसूची

रेज और मुख्यालय	आय-कर सर्किल, वार्ड और जिला
(1)	(2)
सहायक आय-कर आयुक्त (अपील) बी-रेज, मुम्बई	1. एक्स-वार्ड 2. मुम्बई प्रतिवाय सर्किल 3. न्याय सर्किल 4. वृत्तिक सर्किल 5. सम्पद गुप्त सर्किल
सहायक आय-कर आयुक्त (अपील) ई-रेज, मुम्बई	1. सी-IV वार्ड 2. ई-I वार्ड 3. ई-II वार्ड 4. सी-III वार्ड 5. सी-V वार्ड 6. वेसन शाखा-I 7. वेतन शाखा-II 8. एन० आर० आर० सी०
सहायक आय-कर आयुक्त (अपील) रेज-जी, मुम्बई ।	1. बी-I वार्ड 2. बी-II वार्ड 3. बी-III वार्ड 4. सी-II वार्ड 5. मार्केट वार्ड 6. इवेस सर्किल I और II

जहा कोई आय-कर सर्किल, वार्ड या जिला या उसका भाग इस अधिसूचना द्वारा एक रेज से विभी अन्य रेज को अन्तरित हो जाता है, वह उस आय-कर सर्किल, वार्ड या जिले या उसके भाग में किए गए

नियर्वासी से उसम् होने वाली और उस रेज के, जिसे वह आय-कर सर्किल, वार्ड या जिला या उसका भाग अन्तरित हुआ है, सहायक आयुक्त (अपील) के समक्ष इस अधिसूचना की तारीख के ठीक पूर्व सर्वित अपीले उस तारीख में जिस तारीख का यह अधिसूचना प्रभावी होती है, उस रेज के, जिसको उक्त सर्किल, वार्ड या जिला या उसका भाग अन्तरित हुआ है, सहायक आयुक्त (अपील) को अत्यरित की जाएगी और उसके द्वारा उन पर कार्यवाही की जाएगी।

यह अधिसूचना 7-5-1979 से प्रभावी होगी।

[स० 2820 (का० स० 261/5/79 आई टी जे)]

S.O. 3395.—In exercise of the powers conferred by sub-section (1) of Section 122 of the Income-tax Act, 1961 (43 of 1961) and of all other powers enabling it in that behalf and in partial modification of the Board's notification No. 2833 (F. No. 261/7/78-ITJ) dated 7th July, 1978 the Central Board of Direct Taxes hereby direct that the Appellate Assistant Commissioners of Income-tax of the Range specified in column (2) of the Schedule below shall perform their functions in respect of all persons and income assessed to income-tax or super-tax in the Income-tax Circles, Wards and Districts specified in the corresponding entry in column (2) thereof excluding all persons and income assessed, to income-tax over which the jurisdiction vests in Commissioner of Income-tax (Appeals).

SCHEDULE

Range with Headquarters	Income-tax Circles, Wards and Districts.
1	2
Appellate Assistant Commissioner of Income-tax, B. Range, Bombay	1. X-Ward 2. Bombay Refund Circle 3. Trust Circle 4. Professional Circle 5. Estate Duty Circle.
Appellate Assistant Commissioner of Income-tax E-Range, Bombay	1. C-IV Ward 2. D-I Ward 3. D-II Ward 4. C-III Ward 5. C-V Ward 6. Salaries Branch-I 7. Salaries Branch-II 8. N.R.R.C.
Appellate Assistant Commissioner of Income-tax, Range-G, Bombay	1. B-I Ward 2. B-II Ward 3. B-III Ward. 4. C-II Ward. 5. Market Ward, 6. Evinces Circles I and II

Whereas the I.T. Circle, Ward or Dist. or part thereof stands transferred by this notification from one Range to another Range, appeals arising out of the assmts. made in that I.T. Circle, Ward or Dist. or part thereof and pending immediately before the date of this Notification before the A.A.C. of the Range from whom that circle Ward or Dist. or part thereof is transferred shall from that date of this Notification take effect be transferred to and dealt with by the Appellate Assistant Commissioner of the Range to whom the said Circle, Ward or District or part thereof is transferred

This Notification shall take effect from 7-5-1979.

[No. 2820 (F. No. 261/5/79-ITJ)]

प्राय-कर

भा० आ० 3396 केन्द्रीय प्रस्तक कर बोई, आय-कर प्रधिनियम, 1961 (1961 का 13) की धारा 121 की उपधारा (1) द्वारा प्रदत्त प्रक्रियों का प्रयोग करने हुए और इसमें पहले जारी की गई प्रधिनियम का आशिक उपालंण करने हुए, निवेद देता है कि नीचे दी गई अनुसूची के सम्बन्ध (1) में विनिविष्ट भारतमाध्यन करने वाले आय-कर आयुक्त (प्रीन) उसके सम्बन्ध (2) और सम्बन्ध (3) की सम्बन्धीय प्रविधियों में विनिविष्ट आय-कर बार्ड, सकिलों, जिलों और रेजों में गैरे सभी व्यक्तियों के बारे में जिन पर आय-कर या प्रतिकर या व्याज कर निर्धारित किया गया है और जो आय-कर प्रधिनियम, 1961 की धारा 246 की उपधारा (2) के खण्ड (क) से (ज), कम्पनी (नाम) प्रतिकर प्रधिनियम, 1964 (1964 का 7) की धारा 11 की उपधारा (1) और व्याज-कर प्रधिनियम, 1974 (1974 का 45) की धारा 15 की उपधारा (1) में वर्णित किसी आदेश से व्यधित है और गैरे सभी व्यक्तियों या व्यक्ति वर्गों के बारे में भी, जिन के लिए बोई ने आयकर प्रधिनियम, 1961 की धारा 246 की उपधारा (2) के खण्ड (1) के उपबन्धों के अनुसार निर्देश दिया है या निर्देश दे, अपने कृत्यों का पालन करें।

प्रत्यक्षी

भारतमाध्यन और मुख्या- आय-कर बार्ड, सकिल महायक आय-कर आयुक्त
सभी सम्बन्धीय प्रीन
सभी जिला (निरीक्षण) की रेज

(1) (2) (3)

आयुक्त (प्रीन) कोयम्बटूर	(1) कम्पनी सकिल (1) रेज-I, कोयम्बटूर। I, II, III, IV (2) रेज-II, कोयम्बटूर। और V (3) रेज-III, कोयम्बटूर। कोयम्बटूर। (4) मलेम रेज सभी
(2) नगर सकिल- I, कोयम्बटूर। (निरीक्षण)	(5) स० आ० (नि०) सभी
(3) नगर सकिल- II, कोयम्बटूर	
(4) विशेष सर्वे- क्षण सकिल कोयम्बटूर (6-10-75 से ज्ञाने नए सकिल)	
(5) वेनन सकिल, कोयम्बटूर।	
(6) कोयम्बटूर सकिल।	
(7) सकिल-I, कोयम्बटूर।	
(8) सकिल-II, कोयम्बटूर।	
(9) विशेष सर्वे- क्षण सकिल, कोयम्बटूर (नक्कालीन सकिल)।	
(10) ऊटाकमाण्डु सकिल (सभी खण्ड)	

(1)	(2)	(3)
(11) पाल्वाची सकिल (सभी खण्ड)		
(12) होड़ सकिल (सभी खण्ड)		
(13) तिल्पुर सकिल।		
(14) कम्पनी सकिल, सलेम।		
(15) सकिल-I, सलेम।		
(16) सकिल-II, सलेम।		
(17) सलेम सकिल।		
(18) कुणिगिर सकिल।		
आयुक्त (प्रीन) मदुरै		
(1) निल्चिरा- पल्ली- सकिल रेज, निल्चिरा- पल्ली	(1) निल्चिरा- पल्ली- सकिल रेज, निल्चिरा- पल्ली	
(2) नगर सकिल- I, निल्चिरा- पल्ली (सभी खण्ड)	(2) मदुरै रेज, मदुरै। (3) निल्चिरा- पल्ली (सभी खण्ड)	
(3) नगर सकिल- II, निल्चिरा- पल्ली (सभी खण्ड)	(4) स० आ० नि० (निरीक्षण) मदुरै।	
(4) कम्पनी सकिल, निल्चिरा- पल्ली।		
(5) कल्कर सकिल (सभी खण्ड)	(5) मदुरै सकिल (सभी खण्ड)	
(6) पुडेकोदुई सकिल (सभी खण्ड)	(6) पुडेकोदुई सकिल (सभी खण्ड)	
(7) कम्पनी सकिल, मदुरै।	(7) कम्पनी सकिल, मदुरै।	
(8) मदुरै सकिल।	(8) मदुरै सकिल।	
(9) विशेष सकिल, मदुरै (2-12-74 से ज्ञाने नए सकिल)	(9) विशेष सकिल, मदुरै (2-12-74 से ज्ञाने नए सकिल)	
(10) विशेष सर्वे- क्षण सकिल, मदुरै।	(10) विशेष सर्वे- क्षण सकिल, मदुरै।	
(11) विशेष सकिल, मदुरै (ईटीटी मामलों से निपटने वाला नक्कालीन सकिल)	(11) विशेष सकिल, मदुरै (ईटीटी मामलों से निपटने वाला नक्कालीन सकिल)	
(12) इडीगुल सकिल (सभी खण्ड)	(12) इडीगुल सकिल (सभी खण्ड)	
(13) कराइकुड़ी सकिल (सभी खण्ड)	(13) कराइकुड़ी सकिल (सभी खण्ड)	

1	2	3
	(14) रामानाथपुरम् मक्किल	
	(15) तिरुनेत्रेना मक्किल	
	(16) नगरकाप्पल मक्किल	
	(17) टुट्टी कोरिन मक्किल	
	(18) विरश्वतगर मक्किल ।	

यह अधिसूचना 1-2-79 से प्रभावी होगी।

[मा० 2826 (फा० मा० 261/12/78-आई टी जे)]

INCOME-TAX

S O 3396—In exercise of the powers conferred by sub-section (1) of section 121A of the Income-tax Act, 1961 (43 of 1961) and in partial modification of the Notification issued earlier, the Central Board of Direct Taxes hereby directs that the Commissioner of Income-tax (appeals) of the charges specified in column (1) of the Schedule below, shall perform their functions in respect of such persons assessed to Income-tax or sur-tax or interest-tax in the Income-tax Wards Circles, District and Ranges specified in the corresponding entries in column (2) and column (3) thereof as are aggrieved by any of the order mentioned in clauses (a) to (h) of sub-section (2) of section 246 of the Income-tax Act, 1961, in sub-section (1) of section (ii) of Companies (Profits) Sur-tax Act, 1964 (7 of 1964), and in sub-section (1) of section 15 of the Interest Tax Act, 1974 (45 of 1974) and also in respect of such persons or classes of persons as the Board has directed or may direct in future in accordance with the provisions of clause(i) of sub-section (2) of section 246 of the Income-tax Act, 1961.

SCHEDULE

Charge with Headquarters	Income-tax Wards/ Circles and districts	Ranges of Inspecting Assistant Commissioners of Income-tax
1	2	3
Commissioner (Appeals), Coimbatore.	1. Companies Circles I, II, III, IV & V, Coimbatore.	1. Range-I, Coimbatore.
	2. City Circle-I, Coimbatore.	2. Range-II, Coimbatore.
	3. City Circle-II, Coimbatore.	3. Range-III, Coimbatore.
	4. Special Survey Circle, Coimbatore (new circles formed with effect from 6-10-75)	4. Salem Range, Salem.
	5. Salaries Circle, Coimbatore.	5. IAC (Assessment) Salem.
	6. Coimbatore Circle.	
	7. Circle-I, Coimbatore.	
	8. Circle-II, Coimbatore.	
	9. Special Survey Circles, Coimbatore (erstwhile circles)	
	10. Ootacamund Circle (all sections).	
	11. Pollachi Circle (all sections)	

Commissioner (Appeals), Madurai	1. Tiruchirapalli Circle	1. Tiruchirapalli Range, Tiruchirapalli
	2. City Circle-I, Tiruchirapalli (all sections)	2. Madurai Range, Madurai
	3. City Circle-II, Tiruchirapalli (all sections)	3. Tirunelveli Range Tirunelveli
	4. Companies Circle, Tiruchirappalli.	4. IAC (Assessment) Madurai.
	5. Karur Circle (all sections)	
	6. Pudukkottai Circle (all sections).	
	7. Companies Circle, Madurai	
	8. Madurai Circle	
	9. Special Circle, Madurai (new circle formed with effect from 2-12-74)	
	10. Special Survey Circle, Madurai	
	11. Special Circle, Madurai (erstwhile circle dealing with EPT cases)	
	12. Dindigul Circle (all sections)	
	13. Kargikudi Circle (all sections)	
	14. Ramanathapuram Circle.	
	15. Tirunelveli Circle	
	16. Nagercoil Circle	
	17. Tuticorin Circle	
	18. Virudhunagar Circle.	

This Notification will take effect from 1-2-1979.

[No. 2826 (F. No. 261/12/78-ITJ)]

मा० दिनांक, 2 जून, 1979

मुद्रित-

का० मा० 3397.—महाराष्ट्र ग्राम्यक (प्रधान), मम्मै की अधिकारिता के लिए, केंद्रीय प्रत्यक्ष कर बोर्ड की अधिसूचना मा० 2820 (261/5/79-आई टी जे) मे०—

“यह अधिसूचना 7-5-79 से प्रभावी होगी।” के स्थान पर “यह अधिसूचना 23-4-79 से प्रभावी होगी।” पढ़े।

[मा० 2844 (261/5/79-आई टी जे)]

मा० के० भट्टनगर, अध्यक्ष मन्त्री

New Delhi, the 2nd June, 1979

CORRIGENDUM

S.O. 3397—In the Notification of the Central Board of Direct Taxes No. 2820 (261/5/79-ITJ) dated 16-5-79 for the Jurisdiction of AAC, Bambay.

Read : This Notification shall take effect from 23-4-79.

For : This Notification shall take effect from 7-5-79.

[No. 2844 (261/5/79-ITJ)
S. K. BHATNAGAR, Under Secy.

नई विल्सो, 26 मई, 1979

आय-कर

का० प्रा० 3398.—केन्द्रीय प्रस्ताव कर द्वारे आय-कर अधिनियम, 1961 (1961 का 43) की धारा 121 की उपधारा (1) धारा प्रवत शक्तियों का प्रयोग करते हुए समय समय पर यथा संशोधित अधिसूचना सं० 679 [का० सं० 187/2/74-भाई टी (ए भाई)] तारीख 20-7-74 में निम्न-लिखित समोचन करता है।

अनुसूची के अन्त संख्याएँ 23क, 23ब, 23ग, 23क, 23ब, 23छ, 23ठ और 23 ड के सामने स्तम्भ 1, 2 और 3 के नीचे की प्रविठियों के स्थान पर निम्नलिखित प्रविठियाँ रखी जाएंगी।

आय-कर धाराकृत	मुद्रासाय	अधिकारिता
1	2	3
23क परिवर्ती बंगाल 2	कलकत्ता	1. कम्पनी जिला-3 2. सहकारिता भवन सकिल 3. विशेष सकिल-1
23ब परिवर्ती बंगाल 3	कलकत्ता	1. कम्पनी जिला—4 2. जिला 3(1) 3. विशेष सकिल-2
23ग परिवर्ती बंगाल 4	कलकत्ता	1. कम्पनी जिला-2 2. जिला-8 3. सिनेमा सकिल 4. विशेष सकिल-3
23क परिवर्ती बंगाल 6	कलकत्ता	1. जिला 3(3) 2. जिला 2(1) 3. विशेष सर्वेक्षण सकिल-4 4. जिला हावड़ा 5. विशेष सर्वेक्षण सकिल-9 6. विशेष सकिल-4
23ब परिवर्ती बंगाल 7	कलकत्ता	1. केन्द्रीय बेतन सकिल 2. जिला 3 क 3. जिला 5 क 4. रेलवे प्रकार्ण बेतन सकिल 5. चाटडे एकाउन्टेन्ट सकिल 6. प्रतिवाय सकिल 7. बीमा अधिकारी सकिल 8. न्यास सकिल 9. विशेष सकिल-5
23छ परिवर्ती बंगाल 8	कलकत्ता	1. जिला 3(2) 2. जिला 2(2) 3. परियोजना सकिल 4. विशेष सर्वेक्षण सकिल-6
23ब परिवर्ती बंगाल 9	कलकत्ता	1. जिला 5(1) 2. जिला 5(2) 3. विशेष सर्वेक्षण सकिल-3 4. विशेष सकिल-7
23ठ परिवर्ती बंगाल 13	कलकत्ता	1. मुश्तिकाश्रय 2. नारिया 3. विशेष सर्वेक्षण सकिल-8 4. कूच विहार 5. वायरिसिंग

6. जलपाई गूडी
7. विशेष सकिल सिलीगुडी
8. सिलीगुडी
9. परिवर्ती दीनांजपुर मासवा
10. विशेष सकिल-8

यह अधिसूचना 1 जून 1979 से प्रभावी होगी।

[सं० 2827 (का० सं० 187/18/79 भाई टी (ए भाई))]

New Delhi, the 26th May, 1979.

INCOME-TAX

S.O. 3398.—In exercise of the powers conferred by sub-section (1) of section 121 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes hereby makes the following amendments to the Notification No. 679[F. No. 187/2/74-IT (A)] dated 20-7-74 as amended from time to time.

The entries under columns 1, 2 and 3 against Serial Nos. 23A, 23B, 23C, 23E, 23F, 23H and 23L of the Schedule shall be substituted by the following entries.

Commissioner of Income-Tax	Headquarter	Jurisdiction
1	2	3
23A. West Bengal, Calcutta II,		1. Companies District-III 2. Co-operative Housing Circle 3. Special Circle-I
23B West Bengal, Calcutta III		1. Companies District-IV 2. District-III (1) 3. Special Circle-II
23C West Bengal IV, Calcutta		1. Companies District-II 2. District-VIII 3. Cinema Circle 4. Special Circle-III
23D West Bengal VI, Calcutta		1. District-III(3) 2. District-II(1) 3. Special Survey Circle-IV 4. District-Howrah 5. Special Survey Circle-IX 6. Special Circle-IV 1. Central Salaries Circle 2. District-III A 3. District-VA 4. Railway Misc. Salaries Circle 5. Chartered Accountants Circle 6. Refund Circle 7. Insurance Agents Circles 8. Trust Circle 9. Special Circle-V
23F West Bengal VII, Calcutta		1. District-III (2) 2. District-II(2) 3. Project Circle Special Circle-VI
23G West Bengal, Calcutta VIII		1. District-III (2) 2. District-II(2) 3. Project Circle Special Circle-VI
23H West Bengal-Calcutta IX		1. District V(1) 2. District V(2) 3. Special Inv

23L West Bengal- Calcutta
XIII

1	2	3
		gation Circle-III
		4. Special Circle-VII
	1.	Marhshidabad
	2.	Nadia
	3.	Special Survey
		Circle-VIII
	4.	Cooch Behar
	5.	Darjeeling
	6.	Jalpaiguri
	7.	Special Circle, Siliguri
	8.	Siliguri
	9.	West Dinajpur
		Maldah
	10.	Special Circle-VIII

This notification shall take effect from 1st June, 1979
[No. 2827 F.No. 187/18/79-IT-AI)]

नई दिल्ली, 31 मई, 1979
भाष्य-कर

का० प्रा० 3399.—केन्द्रीय प्रस्तुत कर बोई भाष्य-कर भवित्वितम्, 1961(1961 का 43) की धारा 121 की उपधारा (1) द्वारा प्रवत्त शक्तियों का प्रयोग करते हुए समय-समय पर यथा संशोधित भवित्वितम् 679 (का० सं० 187/2/74-प्रा० क० १) तारीख 20 जुलाई, 1974 में निम्नलिखित संशोधन करता है भवित्वित :—

कम सं० 19ब और 22 के सामने संख्या 1, 2 और 3 के नीचे विवरात प्रविष्टियों के स्थान पर निम्नलिखित रखा जाएगा :

भाष्य-कर भाष्यकर भाष्यकरिता

कार्यालय	प्रवान	प्रविष्टियां
1	2	3
19ब नासिक	नापिक	1. औरंगाबाद 2. भीर 3. बुले 4. जलगांव 5. मेलगांव 6. नोंदिव 7. नासिक 8. उम्मानाबाद 9. परसानी
22. विरप्ति	नागपुर	1. नागपुर 2. चान्दपुर 3. यवत्नामाल 4. घकोला 5. घण्डारा 6. घमरावती 7. बर्धा 8. बुलशाना 9. नागपुर स्थित केन्द्रीय संकेत

यह भवित्वितम् 1-6-79 में प्रभावी होती है।

[सं० 2841/का० सं० 187/13/78-प्रा० का० (प० 1)]

New Delhi, the 31st May, 1979

INCOME-TAX

S.O. 3399.—In exercise of the powers conferred by sub-section (1) of Section 121 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes hereby makes the following

amendments to the Notification No. 679 [F. No. 187/2/74-I (AI)] dated 20th July, 1974 as amended from time to time.

Existing entries under columns 1, 2 and 3 against Sl. No. 19B and 22 shall be substituted by the following :

Commissioner of Income-tax	Headquarters	Jurisdiction
1	2	3
19B Nasik	Nasik	1. Aurangabad 2. Bhir 3. Dhule 4. Jalgaon 5. Melegaon 6. Nanded 7. Nasik 8. Osmanabad 9. Parbhani
22 Vidarbha	Nagpur	1. Nagpur 2. Chandrapur 3. Yeotmal 4. Akola 5. Bhandara 6. Amravati 7. Wardha 8. Buldhana 9. Central Circles at Nagpur

This notification shall take effect from 1-6-79.
[No. 2841 (F. No. 187/13/78-IT/AI)]

नई दिल्ली, 19 जून 1979

का० प्रा० 3400.—केन्द्रीय प्रस्तुत कर बोई भाष्य-कर भवित्वितम्, 1961(1961 का 43) की धारा 121 की उपधारा (1) द्वारा प्रवत्त शक्तियों का प्रयोग करते हुए और पूर्ववर्ती भवित्वितम् सं० 674 (का० सं० 187/2/74-II ए प्राई) तारीख 20 जुलाई, 1974 का भाष्यकर उपान्तरण करते हुए निम्नेण देता है कि,

उक्त भवित्वितम् की कम संख्या 15क (म० प्र० II) के सामने संख्या 3 में वर्णित प्रविष्टि सं० 23 के पश्चात निम्नलिखित जोड़ा जाएगा,
24 भाष्यकर भवित्वितम्,
विशेष अन्वेषण संकिळ I
रायपुर
25 भाष्यकर भवित्वितम्,
विशेष अन्वेषण संकिळ I
जबलपुर

[सं० 2887/का० सं० 187/24/79-प्राई-टी० ए प्राई)]

New Delhi, the 19th June, 1979

S.O. 3400.—In exercise of the powers conferred by sub-section (1) of Section 121 of the Income-tax Act, 1961 (43 of 1961) and in partial modification of its previous Notification No. 674(F. No. 187/2/74-II AI) dated 20th July, 1974 the Central Board of Direct Taxes, New Delhi hereby directs that :

after the entry No. 23 appearing in column No. 3 against S. No 15A (MP.II) of the above Notification the following shall be added :

No 24 Income-tax Officer, Special Investigation Circle I, Raipur.

No 25 Income-tax Officer, Special Investigation Circle-I, Jabalpur.

[No. 2887/F. No. 187/24/79-IT (AT)]

नई दिल्ली, 25 जून, 1979

1

2

3

का० प्रा० 3401—माय-कर अधिनियम, 1961 (1961 का 43) की भारा 121 की उपधारा (1) द्वारा प्रवत्त शक्तियों का प्रयोग करते हुए केन्द्रीय प्रत्यक्ष कर बोर्ड अपनी समय-समय पर यथा संशोधित अधिसूचना स० 679 (का० स० 187/2/74-ग्रा० क० ए।) तारीख 20 जुलाई, 1974 से उपायकरण समूची में निम्नलिखित संशोधन करता है—

कम स० 2 आन्ध्र प्रदेश-I के सामने संघ 3 के नीचे निम्नलिखित जोड़ा जाएगा।

“10 विशेष अन्वेषण संकिल हैदराबाद”।

कम स० 2क आन्ध्र प्रदेश-II के सामने संघ 3 के नीचे निम्नलिखित जोड़ा जाएगा :—

“14 विशेष अन्वेषण संकिल गुन्टूर”।

यह अधिसूचना 2-7-79 में प्रवृत्त होगी।

[स० 2891 (का० स० 187/23/79-ग्रा० ए।)]

जे० पी० शर्मा, निवेशक

New Delhi, the 25th June, 1979

INCOME-TAX

S.O. 3401.—In exercise of the powers conferred by sub-section (1) of Section 121 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes hereby makes the following amendments to the Schedule appended to its Notification No. 679 (F. No. 187/2/74-IT AI) dated 20th July, 1974 as amended from time to time :—

Against S. No 2, Andhra Pradesh-I the following shall be added under column 3 :—

“19. Special Investigation Circle, Hyderabad.”

Against S1. No. 2A, Andhra Pradesh-II, the following shall be added under Column 3 :—

“14. Special Investigation Circle, Guntur”.

This Notification shall take effect from 2-7-79.

[No. 2891 (F. No. 187/23/79-IT AI)]

J. P. SHARMA, Director

नई दिल्ली, 20 जुलाई, 1979

माय-कर

का० प्रा० 3402.—केन्द्रीय प्रत्यक्ष कर बोर्ड] माय-कर अधिनियम, 1961 (1961 का 43) की भारा 121 की उपधारा (i) द्वारा प्रवत्त शक्तियों का प्रयोग करते हुए समय-समय पर यथा संशोधित अधिसूचना स० 679 (का० स० 187/2/74-ग्रा० ए।) तारीख 20 जुलाई, 1974 में निम्नलिखित संशोधन करता है पर्याप्त :—

2. संघ 1), (2) और (3) के नीचे विवरान प्रविष्टियों के स्थान पर निम्नलिखित प्रविष्टियां रखी जाएंगी पर्याप्त :—

माय-कर भायुक्त	मुख्यालय	प्रधिकारिता
1	2	3
संघनक	संघनक	1. संपदा कर तथा माय-कर संकिल, संघनक
		2. संकिल 1, संघनक
		3. संकिल, 2, संघनक
		4. वेतन संकिल, संघनक
		5. अलमोदा
		6. बाराबंकी
		7. बरेली
		8. बिजनौर
		9. बदायूँ

10. चन्दौली
11. दूर्दोर्द
12. हन्दानी
13. काशीपुर
14. लखीमपुर खोरी
15. मुरादाबाद
16. नेतृत्वाल
17. नजीबाबाद
18. पीलीभीत
19. पिथोरागढ़
20. रामपुर
21. रायबरेली
22. समस्त
23. शहजहांपुर
24. सीतापुर
25. उन्नाव

यह अधिसूचना 1-8-1979 से प्रभावी होगी।

[स० 2943 (का० स० 189/8/79-ग्रा० ए।) प्रा० ए।)]

New Delhi, the 20th July, 1979

INCOME-TAX

S.O. 3402.—In exercise of the powers conferred by sub-section (i) of section 121 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes hereby makes the following amendments to the Notification No. 679 (F. No. 187/2/74-IT AI) dated 20th July, 1974 as amended from time to time.

2. Existing entries under columns (1), (2) & (3), shall be substituted by the following entries.—

Commissioner of Income-tax	Headquarters	Jurisdiction
1	2	3
Lucknow	Lucknow	1. Estate Duty-cum-Income tax, Circle, Lucknow. 2. Circle-I, Lucknow 3. Circle-II, Lucknow 4. Salary Circle, Lucknow. 5. Almora. 6. Barabandhi 7. Bareilly. 8. Bijnor 9. Badaun 10. Chandausi 11. Hardoi 12. Haldwani 13. Kashipur 14. Lakhimpur-Kheri 15. Moradabad 16. Nainital 17. Najibabad. 18. Pilibhit 19. Pithoragarh 20. Rampur 21. Rai-Bareli 22. Sambhal 23. Shahjahanpur 24. Sitapur 25. Unnao

This notification shall take effect from 1-8-79.

[No. 2943 (F. No. 189/8/79-IT AI)]

प्राय-कर

का० आ० 3403.—केन्द्रीय प्रस्तुत कर बोई, प्राय-कर अधिनियम, 1961 (1961 का 43) की बारा 121-की उपधोरा (1) द्वारा प्रवक्त शक्तियों का प्रयोग करते हुए, समय समय पर यथा संशोधित अपनी अधिसूचना सं० 679 (का० सं० 187/2/74-प्राई० टी० ए० प्राई०) तारीख 20 जुलाई, 1974 से संलग्न अनुसूची में निम्नलिखित संशोधन करता है, प्रयोगतः—

कम संख्या 21-के सामने संख्या (1), (2) और (3) के नीचे विवरामान प्रविष्टियों के स्थान पर निम्नलिखित प्रविष्टियाँ रखी जाएंगी, प्रयोगतः—

1. कम्पनी संकिल, तिरुचिरापल्ली
2. नगर संकिल 1, तिरुचिरापल्ली
3. नगर संकिल 2, तिरुचिरापल्ली
4. करुर संकिल
5. पुदुकोट्टई संकिल
6. वेतन संकिल 1, मद्रास
7. वेतन संकिल 2, मद्रास
8. प्रतिवाय संकिल, मद्रास
9. नगर संकिल 3, मद्रास
10. नगर संकिल-4, मद्रास
11. विशेष अन्वेषण संकिल-3, मद्रास

यह अधिसूचना 1-8-1979 से प्रभावी होगी।

[सं० 2942 (का० सं० 187/25/79-प्राई० टी० ए० प्राई०)]

INCOME-TAX

S.O. 3403.—In exercise of the powers conferred by sub-section (1) of Section 121 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes hereby makes the following amendments to the schedule appended to its Notification No. 679 (F. No. 187/2/74-ITAI) dated 20th July, 1974 as amended from time to time:—

Existing entries under columns (1), (2) and (3) against S. No. 21C shall be substituted by the following entries:—

1. Company Circle, Tiruchirapali
2. City Circle-I, Tiruchirapalli
3. City Circle-II, Tiruchirapalli
4. Karur Circle
5. Pudukotai Circle
6. Salaries Circle-I, Madras.
7. Salaries Circle-II, Madras.
8. Refund Circle, Madras.
9. City Circle-V, Madras.
10. City Circle-VI, Madras.
11. Special Investigation Circle-III, Madras.

This notification shall take effect from 1-8-1979.

[No. 2942 (F. No. 187/25/79-IT AI)]

मई दिल्ली, 4 अगस्त, 1979

प्राय-कर

का० आ० 3404.—केन्द्रीय प्रस्तुत कर बोई, प्राय-कर अधिनियम, 1961 (1961 का 43) की बारा 121-की उपधोरा (1) द्वारा प्रवक्त

शक्तियों का प्रयोग करते हुए, समय समय पर यथा संशोधित अधिसूचना सं० 679 (का० सं० 187/2/74- प्राई० क० (प्र 1), तारीख 20-7-74 से संलग्न अनुसूची में निम्नलिखित संशोधन करता है।

1 कम सं० 2, 2क और 2ब के सामने संख्या (1), (2) और (3) के धक्कान विवरामान प्रविष्टियों के स्थान पर, निम्नलिखित प्रविष्टियाँ रखी जाएंगी।

प्राय-कर प्रायूक्ति	मूल्यालय	प्रधिकार स्थान	प्रधिकार स्थान		
			1	2	3
2 श्रोत्र प्रदेश-I	हैदराबाद	1. संकिल 1, हैदराबाद	2. गुरुदूर संकिल, गुरुदूर	3. कम्पनी संकिल, हैदराबाद	4. वेतन संकिल, हैदराबाद
		5. श्रीकाकुलम संकिल, श्रीकाकुलम	6. विविधानगरम् संकिल, विविधानगरम्	7. विशाखापट्टनम् संकिल, विशाखापट्टनम्	8. अकापल्ली संकिल, अकापल्ली
		9. राजामुखी संकिल, राजामुखी	10. विशेष अन्वेषण संकिल, गुरुदूर		
2क प्राय-प्रदेश II	हैदराबाद	1. संकिल-4, हैदराबाद	2. निजामाबाद संकिल, निजामाबाद	3. निर्मल संकिल, निर्मल	4. संगरेहिण संकिल, संगरेहिण
		5. नलगोडा संकिल, नलगोडा	6. करीमगर संकिल, करीमगर	7. स० श० और आयकर संकिल, हैदराबाद	8. स० श० और आयकर संकिल, काकीनाडा
		9. स० श० और आयकर संकिल, गुरुदूर	10. स० 25 और आयकर संकिल, अनन्तपुर	11. काकीनाडा, संकिल I, काकीनाडा	12. काकीनाडा, संकिल II, काकीनाडा
				13. अमलापुरम् संकिल अमलापुरम्	14. तमुकु संकिल, तमुकु
				15. पालाकोल, संकिल, पालाकोल	16. भीमावरम् संकिल, भीमावरम्
				17. अनन्तपुरम् संकिल, अनन्तपुरम्	18. हिन्दुपुर संकिल, हिन्दुपुर
				19. कडपा संकिल, कडपा	20. प्रोद्धारदूर संकिल, प्रोद्धारदूर
				21. आदोनी संकिल, आदोनी	22. नैद्याल संकिल, नैद्याल
				23. कर्नूल संकिल, कर्नूल	24. महबूब नगर संकिल, महबूब-नगर
				25. विशेष अन्वेषण संकिल, हैदराबाद	

1	2	3	1	2	3
2B आंध्र प्रदेश -III हैदराबाद			1. मक्किल-II, हैदराबाद 2. मक्किल-III, हैदराबाद 3. वरंगल सक्किल, वरंगल 4. खम्मम् मक्किल, खम्मम् 5. विजयवाडा मक्किल, विजयवाडा 6. एसूर मक्किल, एसूर 7. मछलीपट्टनम् सक्किल, मछली- पट्टनम् 8. गुडीवाडा सक्किल, गुडीवाडा 9. तेनाली सक्किल, तेनाली 10. नेल्लोर सक्किल, नेल्लोर 11. अंगोल सक्किल, अंगोल 12. बापटला सक्किल, बापटला 13. तिरुपति सक्किल, तिरुपति 14. चित्तूर सक्किल, चित्तूर		4. Sangareddy Circle, Sangareddy. 5. Nalgonda Circle, Nalgonda. 6. Karimnagar Circle, Karimnagar. 7. ED-cum-Income-tax Circle, Hyderabad. 8. ED-cum-Income-tax Circle, Kakinada. 9. ED-cum-Income-tax Circle, Guntur 10. ED-cum-Income-tax Circle, Anantapur 11. Kakinada Circle I, Kakinada. 12. Kakinada Circle II, Kakinada. 13. Amalapuram Circle, Amalapuram. 14. Tanuku Circle, Tanuku. 15. Palacole Circle, Palacole. 16. Bhimavaram Circle, Bhimavaram. 17. Anantapur Circle, Anantapur. 18. Hindupur Circle, Hindupur. 19. Cuddapah Circle, Cuddapah. 20. Prodatur Circle, Prodatur. 21. Adoni Circle, Adoni 22. Nandyal Circle, Nandyal. 23. Kurnool Circle, Kurnool. 24. Mahaboobnagar Circle, Mahaboobnagar. 25. Special Inv. Circle, Hyderabad.

यह प्रधिसूचना तारीख 16-8-79 को प्रकृत होगी।

[सं. 2964 (फा. सं 187/ 23/ 79 आ० का० अ० १)]

New Delhi, the 4th August, 1979

INCOME-TAX

S.O.3404—In exercise of the powers conferred by sub-section (1) of Section 121 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes hereby makes the following amendments to the Schedule appended to its Notification No. 679 (F. No. 187/2/74-JT AI) dated 20-7-74, as amended from time to time.

1. Existing entries under column (1), (2) and (3) against Sl. No. 2, 2A and 2B shall be substituted by the following entries:

Income-tax Commissioner	Headquarters	Jurisdiction		
		1	2	3
2. Andhra Pradesh-I Hyderabad.		1. Circle-I, Hyderabad. 2. Guntur Circle, Guntur. 3. Company Circle, Hyderabad. 4. Salary Circle, Hyderabad 5. Srikakulam Circle Srikakulam 6. Vizianagaram Circle, Vizianagaram 7. Vizakhapatnam Circle, Visakhapatnam 8. Anakapalli, Circle, Anakapalli. 9. Rajahmundry circle, Rajahmundry 10. Special Inv. Circle, Guntur	2B. Andhra Pradesh-III	Hyderabad
2A. Andhra Pradesh-II	Hyderabad	1. Circle-IV, Hyderabad. 2. Nizamabad Circle, Nizamabad. 3. Nirmal Circle, Nirmal.		1. Circle-II, Hyderabad. 2. Circle-III, Hyderabad. 3. Warangal Circle, Warangal. 4. Khammam Circle, Khammam. 5. Vijayawada Circle Vijayawada. 6. Eluru Circle, Eluru 7. Machilipatnam Circle, Machilipatnam. 8. Gudivada Circle, Gudivada. 9. Tenali Circle, Tenali.

1	2	3
		10. Nellore Circle, Nellore.
		11. Ongole Circle, Ongole.
		12. Bapatla Circle, Bapatla.
		13. Tirupathi Circle Tirupathi.
		14. Chittoor Circle, Chittoor.

2. This notification shall have effect from 16-8-79.

[No. 2964 (F. No. 187/23/79-IT (AI)]

नई विली, 6 अगस्त 1979

(प्राप्त-कर)

का०धा० 3405.—केन्द्रीय प्रत्यक्ष कर बोर्ड, द्वाय-कर प्रधिनियम, 1961 (1961 का 43) की धारा 121 की उपधारा (1) द्वारा प्रदत्त प्रक्रियों का प्रयोग करते हुए, अपनी अधिसूचना में 2887 फा० स० 187/24/79-मार्ई दी (ए 1), तारीख 19-6-79 को रद्द करता है।

[स० 2965 फा० स० 187/24/79-मार्ई दी (ए)]

बी० एम० सिंह, अधिकारी सचिव

New Delhi, the 6th August, 1979

(INCOME TAX)

S.O. 3405.—In exercise of the powers conferred by sub-section (1) of Section 121 of the Income-tax Act, 1961 (43 of 1961) and the Central Board of Direct Taxes cancels its Notification No. 2887 (F. No. 187/24/79-IT(AI), dated 19th June, 1979

[No. 2965 (F. No. 187/24/79-IT AI)]
B. M. SINGH, Under Secy.

केन्द्रीय उत्पाद शुल्क समाहृतालय, कानपुर

कानपुर, 27 अगस्त, 1979

का०धा० 3406.—केन्द्रीय उत्पाद शुल्क नियमावली, 1944 के नियम 233 के अनुरूप प्रदत्त प्रक्रियों में एतदद्वारा भी निवेश देता है कि कानपुर समाहृतालय के उत्पाद शुल्क योग्य माल के सभी विनियमाला जिन्हें केन्द्रीय उत्पाद शुल्क नियमावली, 1944 के नियम 174-ए की प्रक्रियों के प्रधीन केन्द्रीय उत्पाद शुल्क लाइसेंस लेने से छूट प्राप्त है, संस्करण कार्म में उत्पादन और निकासी का सीधा-साधा प्रभिलेक्षण होते हैं। उन्हें इस प्रभिलेक्षण को रखने की आवश्यकता नहीं है यदि वे उत्पादन और निकासी का कोई लेखा प्रपने यिए रखते हैं, जिससे कि प्रभिलेक्षण सुगम रूप से प्राप्त हो जाती है और आगे, उनके द्वारा माल की निकासी क्रमांक पड़े वितरण-आलानों/बिलों/बीजकों या अन्य संगत प्रलेखों पर की जायगी। यह प्रलेख निर्धारिती के अपने हो सकते हैं और इन पर सहायक समाहृता (वितरक) केन्द्रीय उत्पाद शुल्क, भूप्यालय, कानपुर के द्वारा वार्षिक क्रूट सम्पादी पड़ी होनी चाहिए।

[अधिसूचना संख्या 4/1979/ पर मंस्ता V-आल एक्सिसेस
(30) 151 टेक/5/79/10594]
के० एल० रेक्षि समाहृता

फार्म
विनियमावली के लिए जिन्हें केन्द्रीय उत्पाद शुल्क लाइसेंस नहीं देना है।

(नियम 53 और 153 जी)

माल का विवरण.....

विनाक	प्रथम शेष	विनियम	की गई निकासी	इत्यं शेष		निर्गंत वितरण-आलानों/ बिलों/बीजकों का	विनियमावली उसके प्राधिकृत एजेंट के क्रमांक	प्रस्तुति हस्ताक्षर			
				मात्रा	मूल्य						
1	2	3	4	5	6	7	8	9	10	11	12

CENTRAL EXCISE COLLECTOR, KANPUR

Kanpur, the 27th August, 1979

S.O. 3406.—In exercise of the powers conferred on me by Rule 233 of the Central Excise Rules, 1944, I hereby direct that all manufacturers of excisable goods in Kanpur Collectorate who are exempted from taking out a Central Excise Licence in terms of Rule 174A of the Central Excise Rules, 1944, will maintain a simple record of production and clearance in the form enclosed. They need not maintain this record in case they are maintaining some account of production and clearance for their own purpose which gives the re-

quired information in an easily intelligible manner. Further, clearance of goods shall be made by them on serially numbered delivery challans/bills/invoices or other relevant documents. These may be the manufacturer's own documents and should also bear the code number allotted to them by the Assistant Collector (Preventive) of Central Excise Hdqrs Office, Kanpur.

[Notification No. 4/79/C. No. V-All Excises
30(151)/T/V/79/2697]

K. L. REKHI, Collector

FORM

Daily Production Account

(For Manufacturers who are Exempted from taking out a Central Excise Licence)

(Rules 53 & 173-G)

Description of Goods.....

Date	Opening Balance	Manufactured		Cleared		Closing Balance		Serial Nos.	Signature of Manufacturer or his Authorised Agent.	Re- marks
		Qty.	Value	Qty.	Value	Qty.	Value	of Delivery Challans/ Bills/ Invoices Issued.		
1	2	3	4	5	6	7	8	9	10	12

पूर्ण मन्त्रालय

(कार्मिक और प्रशासनिक सुधार विभाग)

नई दिल्ली, 4 अक्टूबर, 1979

का. आ. 3407.—दण्ड प्रक्रिया मंहिता, 1973 (1974 का 2) की धारा 24 की उप-धारा (8) के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा, भारत के किसी भी राज्य या संघ-शासित क्षेत्र जिसमें उपरोक्त धारा के उपबन्ध नागू होते हैं, में कानून द्वारा स्नोपित एनरीक्षण या अपीलीय न्यायालयों में दिल्ली विशेष परिम स्थापना द्वारा द्वायन न्यायालयों में दायर किए गए मामलों तथा अपीलों, एनरीक्षणों या इन मामलों से उत्पन्न अन्य विषयों के संचालन के लिए केन्द्रीय अन्वेषण व्यूरो के मर्दशी राजेन्द्र लाल, एन. एम. माथूर, आर. जी. गुलावानी, पी. एन. नीम्बसन, एम. पी. सिंह और एम. सी. अंग्रीश, विधि उप-मलाहकारों को विशेष लोक-अभियोजक के रूप में नियुक्त करती है।

[संख्या 225/30/79-ए. वी. डी.-।।।]

टी. के. सुब्रमनियन, अवर सचिव

MINISTRY OF HOME AFFAIRS

(Department of Personnel & Administrative Reforms)

New Delhi, the 4th October, 1979

S.O. 3407.—In exercise of the powers conferred by sub-section (8) of section 24 of the Code of Criminal Procedure, 1973 (2 of 1974), the Central Government hereby appoints Sarvashri Rajinder Lal, N. S. Mathur, R. G. Gulabani, P. N. Nambisan, M. P. Singh and S. C. Angrish, Deputy Legal Advisers in the Central Bureau of Investigation as Special Public Prosecutors for the conduct of cases instituted by the Delhi Special Police Establishment in trial courts, and appeals, revisions or other matters arising out of these cases in revisional or appellate courts, established by law in any State or Union Territory of India to which the provisions of the aforesaid section apply.

[No. 225/30/79-AVD. II]

T. K. SUBRAMANIAN, Under Secy.

वाणिज्य तथा नागरिक पूर्ति मन्त्रालय

(वाणिज्य विभाग)

नई दिल्ली, 13 सितम्बर, 1979

का. आ. 3408.—भारतीय व्यापार मेला प्राविकरण, नई दिल्ली की संस्था अंतर्राष्ट्रीय भावली के नियम 59 (2) के अधीन प्रदत्त शक्तियों का प्रयोग करते हुए गद्दापति निम्नलिखित व्यक्तियों को इस प्रधिसूचना जारी होने की नीति से आगार्या भावेश छाने तक भारतीय व्यापार मेला प्राविकरण के अंतर्कालिक नियंत्रण के रूप में नियुक्त करते हैं:—

नाम	पद नाम
1. श्री एस. पी. गुग्नानी	भवर सचिव तथा वित्तीय गलाहकार, वाणिज्य विभाग
2. श्री जी. के. भट्टाचार्जी	मंत्रक सचिव, मूल्यन तथा प्रसारण मन्त्रालय

[कम स. 3/79 (1)/1/77-टी.एफ.]

गिरेक छाने, विभेद

MINISTRY OF COMMERCE AND CIVIL SUPPLIES

(Department of Commerce)

New Delhi, the 13th September, 1979

S.O. 3408.—In exercise of the powers conferred under articles 59(2) of the Articles of Association of the Trade Fair, Authority of India, New Delhi, the President is pleased to appoint the following persons as part-time Directors of the Trade Fair Authority of India from the date of issue of this notification until further orders.

Name	Designation
1. Shri S. P. Gugnani	Additional Secretary & Financial Adviser, Department of Commerce.
2. Shri G. K. Bhattacharjee	Joint Secretary, Ministry of Information and Broadcasting.

[S. No. 3/79/1/1/77-TF)]

GIRISH DHUME, Director.

(वाणिज्य पूर्ति विभाग)

नई दिल्ली, 14 सितम्बर, 1979

का. आ. 3409.—केन्द्रीय सरकार राजभाषा (संघ के ग्रासकीय प्रयोजनों के लिये प्रयोग) नियम, 1976 के नियम 10 के उपनियम 4 के अनुसरण में निम्नलिखित कार्यालयों को, जिनके कर्मचारी बृद्ध ने हिन्दी का कार्बन माध्यक ज्ञान प्राप्त कर लिया है, प्रधिसूचित करती है:—

- वनस्पति, वनस्पति तेल तथा वसा निवेशालय नई दिल्ली
- भारतीय मानक संस्था, नई दिल्ली।

[सं. ए-110012(2)-/79-हिन्दी]

मोहन लाल जाटव, अवर सचिव

(Department of Civil Supplies)

New Delhi, the 14th September, 1979

S.O. 3409.—In pursuance of sub-rule (4) of rule 10 of the Official Language (Use for Official purposes of the Union) Rules, 1976, the Central Government hereby notifies the following Offices, the staff whereof have acquired the working knowledge of Hindi:—

- Directorate of Vanaspati, Vegetable Oil and Fats New Delhi.
- Indian Standard Institution, New Delhi.

[No. E-11012(27)/79-Hindi]

M. L. JATAV, Under Secy.

मुख्य नियंत्रक भावात नियंत्रित का कार्यालय

प्रावेश

नई दिल्ली, 19 सितम्बर 1979

का. आ. 3410.—सर्वेश्वी ब्रेक्स इण्डिया लि. 37, माउण्ट रोड, मद्रास को भाई सी. भाई सी. भाई/इन्हें के ग्रामपाल एक नग इण्डिया ब्रेक डायलो-मीटर अमूरंगी श्रीर कालनू पुर्जे सहित का भावात करने के लिए 46, 07,774/रपए (छिल्लीस लाख सात सौ चौहत्तर रुपए भाव) के लिए एक भावात लाइसेंस सचया पी/सी/जी/ 2072646/एस/हस्त्या पी 85/एज/0/76, दिनांक 15-10-77 प्रदान किया गया था। कर्म ने उपर्युक्त लाइसेंस की सीमा शुल्क प्रयोजन प्रति की अनुलिपि प्रति जारी करने के लिए इस भावात पर भावेवत किया है कि लाइसेंस की मूल सीमा शुल्क प्रयोजन प्रति लो गई या अध्यानस्थ हो गई है। आगे यह भी बताया गया है कि लाइसेंस की सीमा शुल्क प्रयोजन प्रति किसी भी सीमा शुल्क प्राविकारी के पास पंजीकृत नहीं भी और इस वज़ाद से सीमा शुल्क प्रयोजन प्रति के मूल्य का वित्तक उपयोग नहीं किया गया।

प्रपत्ने तर्क के समर्थन में, लालशेमसधारी ने नोटरी प्रिनिक मद्रास के नामने विधिवत जपथ लेकर स्टाम्प कागज पर एक शपथपत्र दाखिल किया है। मैं नदवनुभाग सतुष्ट हूं कि श्रावान लालशेम संक्षया पी०/सी० जी०/ 2072646/एस०/डब्ल्यू० पी०/65/ एच०/ 76 दिनांक 15-10-77 की मूल सीमा युल्क प्रयोजन प्रति कर्म द्वारा ली गई/मस्तानस्थ हो गई है यथा संस्थापित अध्यात्म (नियन्त्रण) आदेश, 1955 दिनांक 7-12-1955 की उप-धारा 9 (सी० सी०) के प्रनगरीन प्रदर्श प्राधिकारों को प्रयोग कर सर्वश्री ब्रेक्स इण्डिया लिं०, मद्रास को जारी की गई उपर्युक्त मूल सीमा युल्क प्रयोजन प्रति संक्षया पी०/सी० जी० / 2072646/एस०/डब्ल्यू० पी० / 65/ एच०/76/दिनांक 15-10-77 को एकद्वारा दर्द किया जाता है।

उपर्युक्त लोइसेस की धनुलिपि सीमा शुल्क प्रयोजन प्रति पार्टी को अन्य से जारी की जा रही है।

ਸਿਖਿਆ 834/77/39/ਸੀ. ਜੀ. 0-1/798]

जी० ए० म० प्रेवाल, उप-मख्य नियन्त्रक, आयाम-निर्धात

**OFFICE OF THE CHIEF CONTROLLER OF IMPORTS
AND EXPORTS**

ORDER

New Delhi, the 19th September, 1979

S.O. 3410.—M/s. Brakes India Limited, 37, Mount Road, Madras were granted an import licence No. P|CGI|2072646|S/WP|65|H|76 dated 15-10-77 for Rs. 46,07,774 (Rupees Forty Six Lakh Seven thousand Seven hundred and seventy four only for import of one No. Inertia Brake Dynamometer with accessories & spares under ICICI/loan. The firm has applied for issue of Duplicate copy of Customs purposes copy of the above mentioned licence on the ground that the Original Customs purposes copy of the licence has been lost or misplaced. It has further been stated that the Custom purposes copy of the licence was not registered with any Customs Authority and as such the value of Customs purpose copy has not been utilised at all.

In support of their contention, the licensee has filed an affidavit on stamped paper duly sworn in before a Notary Public Madras. I am accordingly satisfied that the original customs purposes copy of import licence No. P/CG/2072646/S/WP/65/H/76 dt. 15-10-77 has been lost/or misplaced by the firm. In exercise of the powers conferred under sub-clause 9(cc) of the Import (Control) Order, 1955 dt. 7-12-55 as amended the said original customs purposes copy No. P/CG/2072646/S/WP/65/H/76 dt. 15-10-77 issued to M/s. Brakes India Limited, Madras is hereby cancelled.

A duplicate Customs purposes copy of the said licence is being issued to the party separately.

[No. 834/77/39/CGI/798]

G. S. GREWAL,

Dy. Chief Controller of Imports and Exports

काठ आ० 3411.---सर्वश्री प्रवीप लैप वर्क्स, जय कृष्णा रोड, पटना-
800009 को सामान्य मुद्रा क्षेत्र से लाइसेंस के लिए संलग्न सूची के
अनुसार कच्चे माल श्रौत संघटकों के आयात के लिए 61,000/- रुपये
मूल्य का आयात लाइसेंस भं ८०/ दी० / 2205996/ सी० एस०
एस० / ६१/एस० / ४३-४४ दिनांक १६-१२-७६ प्रदान किया गया था जिसका
म्बीरा नीचे विद्या गया है ।

2. उन्होंने उपर्युक्त लाइसेंस की अनुलिपि भीमा-शुल्क प्रयोजन प्रति जारी करने के लिए इन आधार पर अमुरोध किया है कि, मूल-भीमा शुल्क प्रयोजन प्रति कलाकार पत्रन के सीमा-शुल्क प्राधिकारियों के पास पंजीकृत कराने और अधिक स्पष्ट से उपयोग में लाने के पश्चात् वो गई है। आगे भाइसेसधारी ने यह भी सूचना दी है कि लाइसेंस में ऐसे 31,000/- रुपये की राशि थी जिसका उपयोग नहीं किया गया था।

3. अपने तर्क के मर्मरन में, शावेदक ने एक भाषण-पत्र लाइस किया है। अधोहस्ताक्षरी संतुष्ट है कि लाइसेस सं० पी० / डी०/ 2205990 दिनांक 16-12-76 की मूल सीमा-शुल्क प्रयोजन प्रति खो गई है और निवेद देती है कि शावेदक को उक्त लाइसेस की अनुलिपि सीमा-शुल्क प्रयोजन प्रति जारी की जाए। मूल सीमा-शुल्क प्रयोजन प्रति एतद्वारा रद्द की जाती है।

4. उक्त लाइसेंस की मनुस्थिति भीमा-शुल्क प्रयोजन प्रति प्राप्ति से जारी की जा रही है।

लाइसेंस का अवौरा

क्रम संख्या	साइर्स सं. एवं तिथि	माल का विवरण	छोड़ा
1	2	3	4
1.	पी/डी/ 2205996 16-12-76	मंलगन सूची के अनुसार कच्चा माल एवं संधटक केत्र	सामान्य मुद्रा
जिस अवधि तक	मूल्य रपयों में	प्रयुक्त मूल्य	प्रेष राशि
देख है			
5	6	7	8
15-12-78	61,000/- रुपय	30,000/- रुपय	31,000/- रुपय

[मिमिस स० नैप / 21/1/76-77/ आर० एम० 2]

आर० एम० सिंह,

नियन्त्रक, आयात-नियमित
ते मुख्य नियन्त्रक, आयात-नियमित

ORDER

New Delhi, the 19th September, 1979

S.O. 3411.—M/s. Pradip Lamp Works, Jay Krishna Road, Patna-800009 were granted import licence No. P/D/2205996/C/XX/61/H/43.44 dated 16-12-76 for import of Raw Materials and Components as per list attached to it valued at Rs. 61,000/- under G.C.A. and as per particulars given below:—

2. They have requested for the issue of duplicate Customs Purposes Copy of the above said licence on the ground that the original Customs Purposes Copy has been lost after having been registered with the Customs Authorities at the port of Calcutta and utilised partly. It has been further reported by the licensee that the licence had an unutilised balance of Rs. 31,000/-.

3. In support of their contention, the applicant have filed an affidavit. The undersigned is satisfied that the original Customs Purposes copy of import licence No. P/D/2205996 dated 16-12-76 has been lost and hence directs that a duplicate Customs Purposes Copy of the said licence should be issued to the applicant. The original Customs Purposes Copy is hereby cancelled.

4. The Duplicate Customs Purposes Copy of the said licence is being issued separately.

PARTICULAR OF THE LICENCE

S. No.	Licence No. & Date		Description of goods	Country
	1	2		
1.	P/D/2205996 16-12-76		Raw Materials & Components as per list attached.	GCA

Valid upto	Value	Utilised	Balance
	Rs.	Value	
5	6	7	8
15-12-78	61,000	Rs. 30,000	Rs. 31,000

[File No. Lamp.21/1/76-77/RM.II]

R. M. SINGH, Controller of Imports and Exports
for Chief Controller of Imports & Exports.

आवेदन

नई दिल्ली, 20 सितम्बर, 1979

का० आ० 3412—सर्वश्री बोकारो जनरल हॉस्पिटल, बोकारो स्टील सिटी, बिहार को मूल विदेशी मुद्रा के भ्रष्टीत लाइसेंस के लिए संलग्न सूची के अनुसार फाइब्रोप्टिक गेस्ट्रोस्कोप प्राप्ति के आवात के लिए 73,851/- रुपये (तिहार हजार प्राप्ति नी डक्यावन रुपये मात्र) का आवात लाइसेंस सं० जी/ए/1074238/सी/एक्स/62/एच/43-44 दिनांक 14-1-77 प्रदान किया गया था। फर्म ने उपर्युक्त लाइसेंस की अनुसिपि मीमा-शुल्क प्रयोजन जारी करने के लिए इस आधार पर प्रावेदन किया है कि साइरेस की मूल सीमा शुल्क प्रयोजन प्रति जी गई अधिक अस्वामित्य हो गई है। आगे यह बताया गया है कि कूकी लाइसेंस की सीमा-शुल्क प्रयोजन प्रति जिसी भी सीमा-शुल्क प्राविकारी के पास पंजोड़न नहीं कराई गई भी प्रति सीमा-शुल्क प्रयोजन प्रति के मूल्य का बिल्कुल उपयोग नहीं किया गया था।

2. अपने लक्ष के समर्थन में लाइसेंस धारी ने बोकारो स्टील सिटी के लियावीग के सम्पूर्ण विभिन्न शापथ लेकर स्टाम्प कागज पर एक शपथ पढ़ दिया है। तदनुसार मैं संतुष्ट हूं कि फार्म द्वारा आवात लाइसेंस सं० जी/ए/1074238 दिनांक 14-1-1977 की मूल सीमा-शुल्क प्रयोजन प्रति जी गई अस्वामित्य हो गई है। यासंकेतित आवात (नियंत्रण) आदेश, 1955 दिनांक 7-12-1955 की उप-धारा 9 (सीसी) के समर्थन प्रदत्त शिक्षिकारों का प्रयोग करते हुए सर्वश्री बोकारो जनरल हॉस्पिटल धारी की गई मूल सीमा-शुल्क प्रयोजन प्रति सं० जी/ए/1074238 दिनांक 14-1-77 एतद्वारा रद्द की जाती है।

3. पार्टी को उक्त लाइसेंस की अनुसिपि मीमा-शुल्क प्रयोजन प्रति प्रत्यग से जारी का जा रहा है।

[सं० जी 8/एम ई डी/76-77/मार्ई एन एम/20]

ए० एम० चट्टर्जी, उप-मुख्य नियंत्रक, आवात नियंत्रित

ORDER

New Delhi, the 20th September, 1979

S.O. 3412.—M/s. Bokaro General Hospital, Bokaro Steel City, Bihar were granted an import licence No. G/A/1074238/C/XX/62/H43-44 dated 14-1-1977 for Rs. 73851 (Rupees seventy three thousand eight hundred and fifty one only) for import of Fiberoptic Gastroscope etc. as per list attached under free foreign exchange. The firm has applied for issue of Duplicate copy of Customs purposes copy of the above mentioned licence on the ground that the original Customs purposes copy of the licence has been lost or misplaced. It has further been stated that the Customs purposes copy of the licence was not registered with any Customs authority and as such the value of Customs purpose copy has not been utilised at all.

2. In support of their contention, the licensee has filed an affidavit on stamped paper duly sworn in before a Magistrate, Bokaro Steel City. I am accordingly satisfied that the original Customs purposes copy of import licence No.

637 GI/79-3

G/A/1074238 dated 14-1-1977 has been lost/or misplaced by the firm. In exercise of the powers conferred under sub-clause 9 (cc) of the Import (Control) Order, 1955 dated 7-12-1955 as amended the said original Custom purposes copy No. G/A/1074238 dated 14-1-1977 issued to M/s. Bokaro General Hospital is hereby cancelled.

3. A duplicate Customs purposes copy of the said licence is being issued to the party separately.

[No.B.8/MED/76-77/ILS/61]

A. N. CHATTERJEE, Dy. Chief Controller of Imports and Exports

उद्योग मंत्रालय

(प्रोत्तोगिक विकास विभाग)

आदेश

नई दिल्ली, 16 अगस्त, 1979

का० आ० 3413.— उद्योग (विकास तथा विनियमन) अधिनियम, 1951 (1951 का 65) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा विकास परिषद कार्यविधिक नियम, 1952 के नियम 2, 4, तथा 5 को सांख्य पहले हुए केंद्रीय सरकार, भारत सरकार, उद्योग मंत्रालय (प्रोत्तोगिक विकास विभाग) के संबोधनकारी आदेश सं० का० आ० /मार्ई जी धारा 4 दिनांक 28-2-79 में एतद द्वारा नियमित संशोधन करती है, प्रार्थत :-

उक्त संशोधन आदेश में विशेष सचिव प्रोत्तोगिक विकास विभाग के स्थान पर “प्रधार सचिव, प्रोत्तोगिक विकास विभाग” रखा जाए।

[फा० सं० 38(14)/76-एम० मार्ई]

पी० आ० चन्द्रन, उप-सचिव

MINISTRY OF INDUSTRY

(Department of Industrial Development)

ORDER

New Delhi, the 16th August, 1979

S.O. 3413.—In exercise of the powers conferred by Section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951) read with Rules 2, 4 and 5 of the Development Council Procedural Rules 1952, the Central Government hereby makes the following amendments in the amendment order No. S.O. /IDRA dated 28-2-79 of the Government of India, Ministry of Industry (Department of Industrial Development), namely :-

In the said amendment order for “Special Secretary, Department of Industrial Development” “Additional Secretary, Department of Industrial Development” should be substituted.

[F. No. 38(14)/76-M.I.]

P. R. CHANDRAN, Dy. Secy

आदेश

नई दिल्ली, 17 सितम्बर, 1979

का० आ० 3414.—केंद्रीय सरकार, विकास परिषद (प्रक्रिया) नियम, 1952 के नियम 5 के साथ पठित उद्योग (विकास और विनियमन) अधिनियम, 1951 (1951 का 65) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए शीर भारत सरकार के आदेश सं० का० आ०-प्री० वि० वि० वि० / 6/5, तारीख 9 अक्टूबर, 1978 को आवात: उपान्तरित करते हुए शीर भारत पार्मार्गी, सचिव, इसेक्ट्रोनिकी विभाग, नई दिल्ली को, इस आदेश की तारीख से 8 अक्टूबर, 1980 तक की अवधि के लिए उपकरण उद्योग विकास परिषद का सदस्य नियुक्त करती है।

[एफ० सं० आर्म० एम० एफ० 3 (5)/76]

एस० श्रीगमन, अधर सचिव

A : Representing the interests of owners of industrial undertaking' manufactures in cement industry.

2. Col. S. P. Wahi	—Member
Chairman-cum-Managing Director, Cement Corporation of India Ltd., New Delhi.	
3. Shri Kamaljit Singh, Managing Director, Associated Cement Companies Ltd., Bombay.	—Member
4. Shri M. P. Jain, Andhra Cements Ltd., Vijayawada.	—Member

B: Persons having special knowledge of matter relating to the technical or other aspects of cement industry.

5. Dr. H. C. Visvesvaraya, Director-General, Cement Research Institute, Ballabgarh.	—Member
6. Shri D. Ajitha Simha, Director Civil Engineering, Indian Standards Institution, New Delhi.	—Member
7. Shri K. V. S. Murthy, Joint Adviser, Planning Commission, New Delhi.	—Member
8. Shri K. V. Ramachandran, Joint Director, Traffic, Transportation-III, Railway Board, New Delhi.	—Member
9. Dr. S. V. P. Iyengar, Deputy Director General, Geological Survey of India, Calcutta.	—Member
10. Shri R. P. Khosla, Additional Secretary, Department of Coal, New Delhi.	—Member
11. Shri S. R. Khanna, Development Officer, DGTD, New Delhi.	—Member

C : Persons capable of representing the interest of Workers employed in industrial undertakings in the cement industry.

12. Shri Sanjiva Reddy, Member Working Committee, Indian National Trade Union Congress, 1 B, Maulana Azad Road, New Delhi-11.	—Member
13. Shri H. N. Trivedi, President Indian National Cement Workers Federation, 1 Mazdoor Karyalaya Congress House, Bombay-400004.	—Member

D : Persons capable of representing the interests of consumers

14. Shri G. C. Mathur, Director, National Building Organisation, Nirman Bhavan, New Delhi.	—Member
15. Shri Manish Bahl, Joint Secretary concerned in the Department of Industrial Development, Ministry of Industry, Udyog Bhavan, New Delhi.	—Member-Secretary

[No. 5-6/78-Cem.]

P. K. S. IYER, Deputy Secy.

स्वास्थ्य और परिवार कल्याण मंत्रालय

(स्वास्थ्य विभाग)

नई दिल्ली, 7 अगस्त, 1979

क्रा० आ० 3416.—भारतीय पन्न अधिनियम, 1908 (1908 ना० 15) को आगा० 6 की अपाराग (1) के तदृ० (२) में प्रदल शक्तिमां

का प्रयोग करते हुए केन्द्रीय मरकार एवं द्वारा भारतीय पन्न स्वास्थ्य नियमावली, 1955 में निम्ननिवित और संगोष्ठन करती है, अर्थात् :—

(1) इन नियमों का नाम भारतीय पन्न स्वास्थ्य (संगोष्ठन) नियम, 1979 है।

(2) ये मरकारी राजपत्र में प्रकाशित हुए को नारोव से लागू हों।

2. भारतीय पन्न स्वास्थ्य नियमावली, 1955 में —

(1) नियम 50 में —

(क) उपनियम (1) के स्थान पर निम्ननिवित उपनियम रखा जाएगा ।

“(1) सभी ऐसे व्यक्तियों की जो प्रदलान तथा निकोबार द्वापरमूह की किसी बन्दरगाह से मुख्यभूमि की तरफ बन्दरगाह में जहाज द्वारा जाना चाहते हों या मुख्यभूमि से प्रदलान तथा निकोबार द्वापरमूह अथवा लक्ष्मण द्वापरमूह को किसी बन्दरगाह में जहाज द्वारा आना चाहते हों, स्वास्थ्य प्रधिकारी द्वारा डाक्टरी परीक्षा की जाएगी किन्तु उनके पास हैं तथा चेतक के दोनों के बीच प्रमाण-पत्र होने जरूरी नहीं ।

(ख) उपनियम (4) हटा दिया जाएगा ।

(2) नियम (91) हटा दिया जाएगा ।

[गल्ला आ० 11020/26/79 आई० एच०]

MINISTRY OF HEALTH AND FAMILY WELFARE

(Health Department)

New Delhi, the 7th August, 1979

S.O. 3416.—In exercise of the powers conferred by clause (p) of sub-section (1) of section 6 of the Indian Ports Act, 1908 (15 of 1908), the Central Government hereby makes the following further amendment in the Indian Port Health Rules, 1955, namely :—

1. (1) These rules may be called the Indian Port Health (Amendment) Rules, 1979.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Indian Port Health Rules, 1955—

(i) in rule 50—

(a) for sub-rule (1), the following sub-rule shall be substituted, namely :—

“(1) All persons proposing to embark upon a ship leaving any port in the Andaman and Nicobar Islands or Lakshwweep Islands for any port on the mainland or vice versa shall be medically examined by the Health Officer but they are not required to be in possession of valid certificates of vaccination against Cholera and Smallpox”.

(b) sub-rule (4) shall be omitted.

(ii) rule 91 shall be omitted.

[No. O. 11020/26/79-IH]

क्रा० आ० 3417.—हवाई जहाज अधिनियम 1934 (1934 का 22) की धारा 8के द्वारा प्रबल व्यक्तियों का प्रयोग करते हुए केन्द्रीय मरकार एवं द्वारा विमान (जन स्वास्थ्य नियमावली), 1954 में निम्ननिवित और संगोष्ठन करती है, अर्थात् :—

(1) इन नियमों का नाम विमान (जन स्वास्थ्य) संगोष्ठन नियम, 1979 है।

(2) ये मरकारी राजपत्र में प्रकाशित होने की तारीख से लागू होंगे।

2. विभान (जन स्वास्थ्य) नियमावली, 1954 में नियम 35 के स्वान पर निम्नलिखित नियम रखा जाएगा, अर्थात्—

“35. सभी ऐसे व्यक्तियों की जो ग्रंडमान तथा निकोबार द्वीपसमूह अथवा लक्ष्मीपुरी द्वीपसमूह के किसी हवाई भृहे से मुख्य भूमि के किसी हवाई भृहे पर हवाई जहाज द्वारा जाना जाहते हों या मुख्यभूमि से ग्रंडमान तथा निकोबार द्वीपसमूह के किसी हवाई भृहे पर हवाई जहाज द्वारा जाना जाहते हों, स्वास्थ्य अधिकारी द्वारा डाक्टरी परीक्षा की जाएगी किन्तु अनेक पास हैं तथा चेक के टीके के बैष प्रमाणपत्र होने जरूरी नहीं हैं।”

[सं० श्री० 11020/26/79]

एम० डी० नाल, अवर सचिव

S.O. 3417.—In exercise of the powers conferred by section 8A of the Aircraft Act, 1934 (22 of 1934), the Central Government hereby makes the following further amendments in the Aircraft (Public Health) Rules, 1954, namely :—

1. (1) These Rules may be called the Aircraft (Public Health) Amendment Rules, 1979.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Aircraft (Public Health) Rules, 1954, for rule 35, the following rule shall be substituted, namely :—

“35. All persons proposing to embark upon an aircraft leaving any airport in the Andaman and Nicobar Islands or Lakshadweep Islands for any airport on the mainland or vice versa shall be medically examined by the Health Officer but they are not required to be in possession of valid certificates of vaccination against Cholera and Smallpox.”

[No. O. 11020/26/79-IH]

S. D. LAL, Under Secy.

(स्वास्थ्य विभाग)

नई दिल्ली, 21 सितम्बर, 1979

का० शा० 3418.—भारतीय आयुर्विज्ञान परिषद, नियम, 1957 के नियम 2 के खण्ड (प) के ग्रन्तसरण में केन्द्रीय सरकार एतद्वारा डा० पी० डॉ० बलुमारुपी, रजिस्ट्रार, भोपाल आयुर्विज्ञान परिषद, भोपाल को भारतीय आयुर्विज्ञान परिषद, नियम, 1956 (1956 का 102) की धारा 3 की लप-धारा (1) के खण्ड (ग) के अधीन मध्य प्रदेश राज्य में भारतीय आयुर्विज्ञान परिषद के सदस्य का चुनाव कराने के लिए नियमित अधिकारी नियुक्त करती है।

[संख्या श्री० 11013/28/79-एम० ई० (पी०)]

के० ए८० भाटिया, अवर सचिव

प्राप्तीण पुस्तकिरण भवनालय

नई दिल्ली, 22 सितम्बर, 1979

का० शा० 3420.—प्याज थेणीकरण और चिन्हांकन नियम, 1964 में संशोधन करने के लिए नियमों का प्रारूप, हावि उपच (थेणीकरण और चिन्हांकन) अधिनियम, 1937 (1937 का 1) की धारा 3 की अपेक्षानुमार, भारत के राजपत्र, भाग 2, खण्ड 3, उपचाण्ड (ii) तारीख 22 अप्रैल, 1978 की प्रधीन प्रकाशित किया गया था जिसमें उस सभी व्यक्तियों दे, जिनके उनसे प्रभावित होने की संभावना थी, राजपत्र में उक्त प्रधीन प्रकाशित होने की सारीख से वैतालीस दिन की अवधि के समाप्त होने के दूर्व आक्षेप या सुझाव भागे गए थे। और उक्त राजपत्र की प्रतियो 22 अप्रैल, 1978 को जनता को उपलब्ध करा दी गई थी;

और उक्त प्राप्ति के आवास प्राप्ति सुझावों पर केन्द्रीय सरकार ने विचार कर लिया है;

ग्रात, ग्राव, केन्द्रीय सरकार, उक्त अधिनियम की धारा 3 द्वारा प्रदत्त लक्षियों का प्रयोग करने हुए, प्याज थेणीकरण और चिन्हांकन नियम, 1964 में संशोधन करने के लिए निम्नलिखित नियम बनाती है, अर्थात्—

नियम

(1) इन नियमों का साक्षर नाम प्याज थेणीकरण और चिन्हांकन (संशोधन) नियम, 1979 है।

(2) प्याज थेणीकरण और चिन्हांकन नियम, 1964 की ग्रन्तसरणी 2 और 3 के स्वान पर निम्नलिखित ग्रन्तसरणी ग्रन्ती जाएगी,

(Department of Health)

New Delhi, the 21st September, 1979

S.O. 3418.—In pursuance of clause (d) of rule 2 of the Indian Medical Council Rules, 1957, the Central Government hereby appoints Dr. O. P. Balupuri, Registrar, Bhopal Medical Council, Bhopal, as Returning Officer for the conduct of election of a member of the Medical Council of India under clause (c) of sub-section (1) of section 3 of the Indian Medical Council Act, 1956 (102 of 1956) in the State of Madhya Pradesh.

[No. V. 11013/28/79-M.E. (P)]

K. L. BHATIA, Under Secy.

इस्पात, जात और कोयला मंत्रालय

(इस्पात विभाग)

नई दिल्ली, 14 सितम्बर, 1979

का० शा० 3419.—केन्द्रीय सरकार, इंडियन आयरन एंड स्टील कम्पनी (जेपरो का ग्रन्त) अधिनियम, 1976 (1976 का 89) की धारा 5 की उपधारा (2) द्वारा प्रदत्त व्यक्तियों का प्रयोग करने हुए, एतद्वारा लाला तथा इस्पात नियंत्रक, कलकत्ता के कार्यालय के निम्नलिखित अधीक्षकों को उनके नाम के सामने दी गई तारीख से सहायक संदाय आयुक्त नियुक्त करती है। उनकी नियुक्ति श्री एस० के० भिक्षा तथा श्रीमती ए० गास्वामी के घटन पर की गई है जो 30 जून, 1979 के ग्रन्तरात्र से सेवा निवृत्त हो गए हैं :—

1. श्री विमलेन्दु कर

2. श्री दलीप कुमार गुप्त

2-7-1979

पूर्वांक

13-7-1979

ग्रन्तरात्र

[मि० सं० 8 (108)/76-क० आई०]

ते० वा० नायर, उप-सचिव

MINISTRY OF STEEL MINES AND COAL

(Department of Steel)

New Delhi, the 14th September, 1979

S.O. 3419.—In exercise of the powers conferred by sub-section (2) of Section 5 of the Indian Iron and Steel Company (Acquisition of Shares) Act, 1976 (89 of 1976), the Central Government hereby appoints the following superintendents in the office of the Iron and Steel Controller, Calcutta, as Assistant Commissioner of Payments with effect from the dates shown against each in place of Shri S. K. Mitra and Smt. A. Goswami since superannuated on the after-noon of 30th June, 1979 :—

1. Shri Bimalendu Kai 2-7-1979 (FN)

2. Shri Dalip Kumar Gupta 13-7-1979 (AN)

[File No. 8(108)/76-KI]

T. V. NAYAR, Deputy Secy.

प्राप्तीण पुस्तकिरण भवनालय

नई दिल्ली, 22 सितम्बर, 1979

का० शा० 3420.—प्याज थेणीकरण और चिन्हांकन नियम, 1964 में संशोधन करने के लिए नियमों का प्रारूप, हावि उपच (प्राप्तीकरण और चिन्हांकन) अधिनियम, 1937 (1937 का 1) की धारा 3 की अपेक्षानुमार, भारत के राजपत्र, भाग 2, खण्ड 3, उपचाण्ड (ii) तारीख 22 अप्रैल, 1978 की प्रधीन प्रकाशित किया गया था जिसमें उस सभी व्यक्तियों दे, जिनके उनसे प्रभावित होने की संभावना थी, राजपत्र में उक्त प्रधीन प्रकाशित होने की सारीख से वैतालीस दिन की अवधि के समाप्त होने के दूर्व आक्षेप या सुझाव भागे गए थे। और उक्त राजपत्र की प्रतियो 22 अप्रैल, 1978 को जनता को उपलब्ध करा दी गई थी;

और उक्त प्राप्ति के आवास प्राप्ति सुझावों पर केन्द्रीय सरकार ने विचार कर लिया है;

ग्रात, ग्राव, केन्द्रीय सरकार, उक्त अधिनियम की धारा 3 द्वारा प्रदत्त लक्षियों का प्रयोग करने हुए, प्याज थेणीकरण और चिन्हांकन नियम, 1964 में संशोधन करने के लिए निम्नलिखित नियम बनाती है, अर्थात्—

(नियम 3 और 4 देखिए)

तात्त्विक/मोराप्ट/बिलारी/कुना प्याज (शान्तियम सेपा एल) के श्रेणी अधिकार तथा क्वालिटी की परिभाषा

श्रेणी अधिकार	विशेष लक्षण	माप्तारण लक्षण
रंग	*आकार (मि०मी०) में खराब रोगप्रस्त, श्याम स्फूनतम और क्षतिप्रस्त बन्द (वजन का प्रतिशत अधिकतम)**	
1	2	3
प्रति वर्गी	हूल्के से गुलाबी	60 मि०मी०
	"	40 मि०मी०
मध्यम	"	30 मि०मी०
झोटी	"	20 मि०मी०
माध्यरण	"	मिश्रित 20 मि०मी०
एम०एस० (विनिर्दिष्ट) श्रेणी†		(1) प्रजाति कंद किसी की आकृति, आकार, रंग और तिक्तता लक्षणों में प्रायः एक समान होगे । (2) परिपक्व, दूने में ठोस, योग्य लिंगकों के साथ पर्याप्त दृढ़ होगे । (3) अच्छी तरह से उपचारित और सूखे हुए होगे । (4) धूल और अन्य विज्ञानीय पदार्थों से मुक्त होगे । (5) खराबियों बीज स्कंध के कारण, रोगप्रस्त, मड़े और क्षतिप्रस्त कद्दो, सिरों, जड़ों, नसी शूक्रता धूप शूष्मन, शूष्मसन, अंकुरण, यंक-जन्य या अन्य अविक्षिप्त और वाय से सम्बन्ध 4 में विनिर्दिष्ट सीमा तक मुक्त होगे, (6) फफूट, हल्की गलन और कीट प्रभाव से मुक्त होंगे ।

*आकार की सहज आकार में आकस्मिक लुटियों के लिए, किसी भी लाट में, विहित स्फूनतम् श्यास से लौटीक नियम श्रेणी के कंद वजन में 5.0 प्रतिशत से अधिक नहीं हो सकेंगे ।

**खराब रोगप्रस्त और क्षतिप्रस्त कंदों से अभिप्रेत है कुरचित कंद और ऐसे कंद जो आन्तरिक या वायु धूप से क्षतिप्रस्त, रोगप्रस्त या अपवर्णित हो जिससे क्वालिटी पर तात्पर्य पड़ता हो । किसी भी लाट में, सही प्याज 2.0 प्रतिशत से अधिक नहीं होगी ।

† माध्यरण इस श्रेणी की प्याज को, अप्रतिसहरणीय प्रत्यय पद्धति के आधार पर ही एक करने दिया जाएगा ।

‡ अविनिर्दिष्ट श्रेणी नहीं अच्छी में यह कोई श्रेणी नहीं है किन्तु उस ऐसी प्याज के लिए रखा गया है जो नियमित श्रेणियों में नहीं आती है । इस श्रेणी की प्याज का निर्गत, विवेकी त्रेता से, अपेक्षित उत्पाद की मात्रा और क्वालिटी का उपवर्णित करते हुए विशिष्ट आदेश मिलने पर ही किया जाएगा ।

धनुसूची 3

(नियम 3 और 4 देखिए)

तात्त्विक प्याज अस्तियम सेपा एल के फोन शरण का श्रेणी अधिकार और क्वालिटी की परिभाषा

श्रेणी अधिकार	विशेष लक्षण	माप्तारण लक्षण
रंग	*आकार (मि०मी० में खराब रोगप्रस्त, श्यास स्फूनतम और क्षतिप्रस्त कंद (वजन का प्रतिशत) अधिकतम)**	
1	2	3
प्रति वर्गी	हूल्के से गुलाबी	60 मि०मी०
	"	40 मि०मी०
मध्यम	"	30 मि०मी०
झोटी	"	20 मि०मी०
माध्यरण	"	मिश्रित 20 मि०मी०
प्रति वर्गी	हूल्के से गुलाबी	10.0
	"	10.0
मध्यम	"	10.0
झोटी	"	10.0
माध्यरण	"	10.0

एन०एम० (अविनिविल्ट) श्रेणी

(5) अराबियों वीज नम्बर के कारण रोगप्रस्त, सड़े प्रौर अतिप्रस्त कंदों, शिरो, जड़ो, नमी, शुष्कता, घूप-भूलभून, मूलसन, अकुरण, यंत्र जन्य या धन्य लतियों और दाग से स्तम्भ 4 में विनिविल्ट सीमा तक दूर होंगे।

(6) प्याजों के बीज स्कंध की प्रतिशतता 20 प्रतिशत से अधिक नहीं होंगी।

(7) फफूव हल्की गलत और कोट प्रभाव से मुक्त होंगे।

* प्राकार की सहायता: आकार में आकस्मिक लुटियों के लिए किसी भी लाट में, विहित भूनतम व्यास से ठीक निम्न श्रेणी के कद वजन में 5.0 प्रतिशत से अधिक नहीं होंगे।

@ आराब, रोगप्रस्त प्रौर अतिप्रस्त कंदों से अभिप्रेत है कुरचित कंद जो भान्तरिक या वाह्य स्पष्ट से अतिप्रस्त, रोगप्रस्त या ग्रावरिंग हो जिससे ब्लालिटी पर नातिक प्रभाव पड़ता हो। किसी भी लाट से सड़ी प्याजे 3.0 प्रतिशत से अधिक नहीं होंगी।

£ माधारण:—इस श्रेणी की प्याज को, ग्रावरिंगहरणीय प्रत्येक पक्ष के माधार पर ही एक करने दिया जाएगा।

† एन०एम० (अविनिविल्ट) श्रेणी.—सही प्रयोग में यह कोई श्रेणी नहीं है किन्तु उसे ऐसी प्याज के लिए रखा गया है जो नियमित श्रेणियों में नहीं प्राप्ति है। इस श्रेणी की प्याज की नियाल, विशेष विक्रेता से, अपेक्षित उत्पाद की मात्रा और ब्लालिटी को उपरक्षित करने के लिए, विनिविल्ट प्रावेश मिलवे पर ही किया जाएगा।

[स० 17-2/77-ए०एस०]

MINISTRY OF RURAL RECONSTRUCTION

New Delhi, the 22nd September, 1979

S.O. 3420.—Whereas the draft rules to amend the Onions Grading and Marking Rules, 1964, were published, as required by Section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937), at pages 1163 to 1165 of the Gazette of India, Part II, Section 3, Sub-Section (ii), dated the 22nd April, 1978, under the notification of the Government of India in the Ministry of Agriculture and Irrigation (Department of Rural Development) No. S.O. 1148, dated the 5th April, 1978, inviting objections and suggestions from all persons likely to be affected thereby before the expiry of the period of fortyfive days from the date of publication of the said notification in the Official Gazette;

And whereas the copies of the said Gazette were made available to the public on the 22nd April, 1978;

And whereas the suggestions received in respect of the said draft have been considered by the Central Government;

Now, therefore, in exercise of the powers conferred by section 3 of the said Act, the Central Government hereby makes the following rules to amend the Onion Grading and Marking Rules, 1964, namely :—

RULES

- (1) These rules may be called the Onion Grading and Marking (Amendment) Rules, 1979.
- (2) In the Onion Grading and Marking Rules, 1964, for Schedules II and III, the following Schedules shall be substituted, namely :—

“SCHEDULE-II

(See rules 3 and 4)

Grade, designations and definition of quality of Nasik/Saurashtra/Bellary/Poona Onions

(Allium cepa)

Grade designation	Special characteristics			General characteristics
	Colour	*Size (diameter in mm)	Defective, diseased and damaged bulbs	
			Minimum (per cent by weight)	
1	2	3	4	5
Extra Big	Light to Rosy	60 mm	10.0	The bulbs shall,—
Big	-do-	40 mm	10.0	(1) be reasonably uniform in shape, size, colour, and pungency characteristics of the variety/ type.
Medium	-do-	30 mm	10.0	
Small	-do-	20 mm	10.0	(2) be mature, solid infeel, reasonably firm with
General £	-do- Mixed	20 mm	10.0	

* Tolerance for size : For accidental errors in sizing, not more than 5.0 per cent by weight of the bulbs in any lot may be of next lower grade than the minimum diameter prescribed

† Defective, diseased and damaged shall mean malformed bulbs and the bulbs internally or externally damaged, diseased or discoloured, materially affecting the quality. The decayed onions shall not exceed 2.0 per cent in any lot

£ General : This grade shall be allowed to be packed only against irrevocable Letter of Credit.

N.S. Grade†

tough clinging skins.

- (3) be thoroughly cured and dried.
- (4) be free from dirt and other foreign material.
- (5) be free from defectives, disease, decayed and damaged bulbs caused by seed stems, tops, roots, moisture, dry sun scaled, sun-burn, sprouting, mechanical or other injuries and staining to the extent as specified under columns 4.
- (6) be free from moulds, soft rot and insect attack.

† N.S. Grade : This is not a grade in its strict sense but has been provided for the onions not covered under regular grades. Onions under this grade shall be exported only against a specific order from the foreign buyer indicating the quantity and quality of the produce required.

SCHEDULE-III

(See rules 3 and 4)

Grade designations and definition of quality of 'Phol Crop' of Nasik Onions

(Allium Cepa L.)

Grade designation	Special characteristics				General characteristics.
	Colour	*Size (diameter in mm) Minimum	Defective, diseased and damaged bulbs (per cent by weight) Maximum @	5	
1	2	3	4		
Extra Big	Light to Rosy	60 mm	10.0	The bulbs shall,—	
Big	-do-	40 mm	10.0	(1) be reasonably uniform in shape, size, colour and pungency characteristics of the variety/ type.	
Medium	-do-	30 mm	10.0	(2) be mature, solid in feel, reasonably firm with tough clinging skins.	
Small	-do-	mixed 20 mm	10.0	(3) be thoroughly cured and dried.	
General £	-do-	20 mm	10.0	(4) be free from dirt and other foreign material.	
N.S. Grade †	(5) be free from defectives, diseased, decayed and damaged bulbs caused by seed stems, tops, roots, moisture, dry sun scaled, sun-burn, sprouting mechanical or other injuries and staining to the extent as specified under column 4.	
				(6) The percentage of seed stems of onions shall not exceed 20 per cent.	
				(7) be free from moulds, soft rot and insect attack.	

* Tolerance for Size : For accidental errors in sizing, not more than 5.0 per cent by weight of the bulbs in any lot may be of next lower grade than the minimum diameter prescribed.

@ Defective diseased and damaged shall mean malformed bulbs and the bulbs internally or externally damaged, diseased or discoloured, materially affecting the quality. The decayed onions shall not exceed 2.0 per cent in any lot.

£ General : This grade shall be allowed to be packed only against irrevocable letter of Credit.

† N.S. Grade : This is not a grade in its strict sense but has been provided for the onions not covered under regular grades. Onions under this grade shall be exported only against a specific order from the foreign buyer indicating the quantity and quality of the produce required".

का० ग्रा० 3421.—सूजी और मैदा श्रेणीकरण और चिह्नाकन नियम, 1977 का एक प्रारूप, कृषि उपत्र (श्रेणीकरण और चिह्नाकन) अधिनियम, 1937 (1937 का 1) की घारा 3 की अपेक्षानुसार भारत सरकार के कृषि और मिशनी मंत्रालय (भारत विभाग) की अधिसूचना स० का० ग्रा० 231, तारीख 30 निम्नमंत्र, 1977 के अधीन भारत के राजपत्र, भाग 2, छान्ड 3, उपचान्ड (ii), तारीख 28 जनवरी, 1978 के पृष्ठ 223 से 228 पर प्रकाशित किया गया था, जिसमें राजपत्र में उक्त अधिसूचना के प्रकाशन की तारीख से पैतालीम विन की अवधि की समाप्ति के पूर्व उन सभी व्यक्तियों से आपत्तिया और सुलाज मार्गे गए थे, जिनके उससे प्रभावित होने की संभावना थी;

और उक्त राजपत्र की प्रतिया 26 जनवरी, 1978 को जनता को उपलब्ध करा दी गई थी।

और केन्द्रीय सरकार ने उक्त प्रारूप की बाबत जनता से प्राप्त आपत्तियों और मुकाबों पर विचार कर लिया है।

अब, इब केन्द्रीय सरकार, उक्त अधिनियम की घारा 3 द्वारा प्रदत्त व्यक्तियों का प्रयोग करते हुए, निम्नलिखित नियम बनाती है, पर्याप्त:—

1. सक्रिय नाम और प्रारम्भ:—(1) इन नियमों का नाम सूजी और मैदा श्रेणीकरण और चिह्नाकन नियम, 1979 है।

(2) ये भारत में उत्पादित मूजी और मैदा को लागू होंगे।

2. परिभाषाएँ:—इन नियमों में:—

(क) “कृषि विषयन सलाहकार” से कृषि विषयन सलाहकार, भारत सरकार, अभिप्रेत है,

(ख) “प्राधिकृत पैकर” से ऐसा व्यक्ति या व्यक्तियों का निकाय अभिप्रेत है जिसे साधारण श्रेणीकरण और चिह्नाकन नियम, 1937 के अधीन, सूजी और मैदा के सम्बन्ध में, प्राधिकारन आरोपित किया गया है।

(ग) “अनुसूची” से इन नियमों से उपाय अनुसूची अभिप्रेत है।

3. श्रेणी नाम:—सूजी और मैदा की क्वालिटी को उपर्योग करने वाला श्रेणी नाम, अनुसूची 3 और 4 स्तरम् 1 में व्याख्यित होगा।

4. क्वालिटी की परिभाषा:—श्रेणी नामों द्वारा व्याख्यित क्वालिटी, अनुसूची 3 के स्तरम् 2 से 8 तक और अनुसूची 4 के स्तरम् 2 से 7 तक उक्त नामों के सामने व्याख्यित होगी।

5. श्रेणी नाम चिह्न:—श्रेणी नाम चिह्न, कृषि विषयन सलाहकार द्वारा दिया गया एक ऐसा लेबल, जिस पर श्रेणी नाम विनिविष्ट होगा और अनुसूची 1 में बताए गए चिह्न के महण एक डिजाइन (“एमार्ग” शब्द सहित भारत का भारतीय उत्पाद) पद सहित उपरे हुए सूची का चिह्न होगा) होगी।

टिप्पणी:—(1) प्रत्येक लेबल पर त्रैमासिक और शुद्धता सुचित करने वाला/वाले अक्षर मुक्ति किए जाएंगे, उदाहरणार्थ क-004378

(2) कागज या कपड़े के खेलों पर प्रयुक्त होने वाले श्रेणी नाम चिह्न श्रेणी नाम विनिविष्ट करने वाला नियकाया गया लेबल होगा।

(3) बीटील-पटसन के खेलों पर प्रयोग किया जाने वाला श्रेणी नाम चिह्न एक ऐसे रूपांक जाने वाला आमताकार लेबल होगा जो श्रेणी नाम उपर्योग करता हो।

6. चिह्नाकन की पद्धति:—(1) श्रेणी नाम चिह्न कृषि विषयन सलाहकार द्वारा अनुमोदित रीति से प्रत्येक प्राधान पर स्पष्ट रूप से वंकित की जाएगी, पर्याप्त:—

(2) श्रेणी नाम चिह्न के प्रतिक्रिया प्रत्येक प्राधान पर निम्नलिखित विविधिया स्पष्ट रूप से वंकित की जाएंगी, पर्याप्त:—

(क) पैकिंग की तारीख;

(ख) लाट संक्षेप,

(ग) पैकर का नाम और पता, और

(ग) शुद्ध भार।

(3) प्राधिकृत पैकर, कृषि विषयन सलाहकार का पूर्व अनुमोदन प्राप्त करने के पश्चात् प्राधान पर अपना निर्मी व्यापार चिह्न, उक्त अधिकारी द्वारा अनुमोदित रीति से, अंकित कर मकेगा; परन्तु यह नब जब कि निर्मी व्यापार चिह्न, सूजी और मैदा की उक्त क्वालिटी श्रेणी से निम्न क्वालिटी श्रेणी उपर्योग करता जो इन नियमों के अनुमान प्राधान पर विपकाया गया श्रेणी नाम चिह्न उपर्योग करता है।

7. पैकिंग की पद्धति:—(1) केवल वागड़, कपड़े, बीटील-पटसन या ग्रन्ट किसी पदार्थ के, जो कृषि विषयन सलाहकार अनुमोदित करें, वने मजबूत, स्वच्छ और शुद्ध प्राधान हों जाएं। आधान, कोटाणु-मंक्रमण या कस्तोंदा संदूकण से मृक होंगे और किसी भी प्रबालीय ग्रन्ट से मृक होंगे।

(2) आधान, कृषि विषयन सलाहकार द्वारा अनुमोदित रीति से, मजबूती के मात्र बन्द प्रीर मीट्रेक्सन किये जाएंगे।

(3) प्रत्येक पैकेजी में केवल एक ही श्रेणी नाम की सूजी और मैदा होंगी।

8. प्राधिकारन की विस्तृत जातें—साधारण श्रेणीकरण और चिह्नाकन नियम, 1937 के नियम 4 में विनिविष्ट जातें के अतिरिक्त, अनुसूची 2 में अनाई गई जातें भी, इन नियमों के प्रयोगनार्थ जारी किए गए प्रत्येक प्राधिकारन-प्राधान की शामि होंगी।

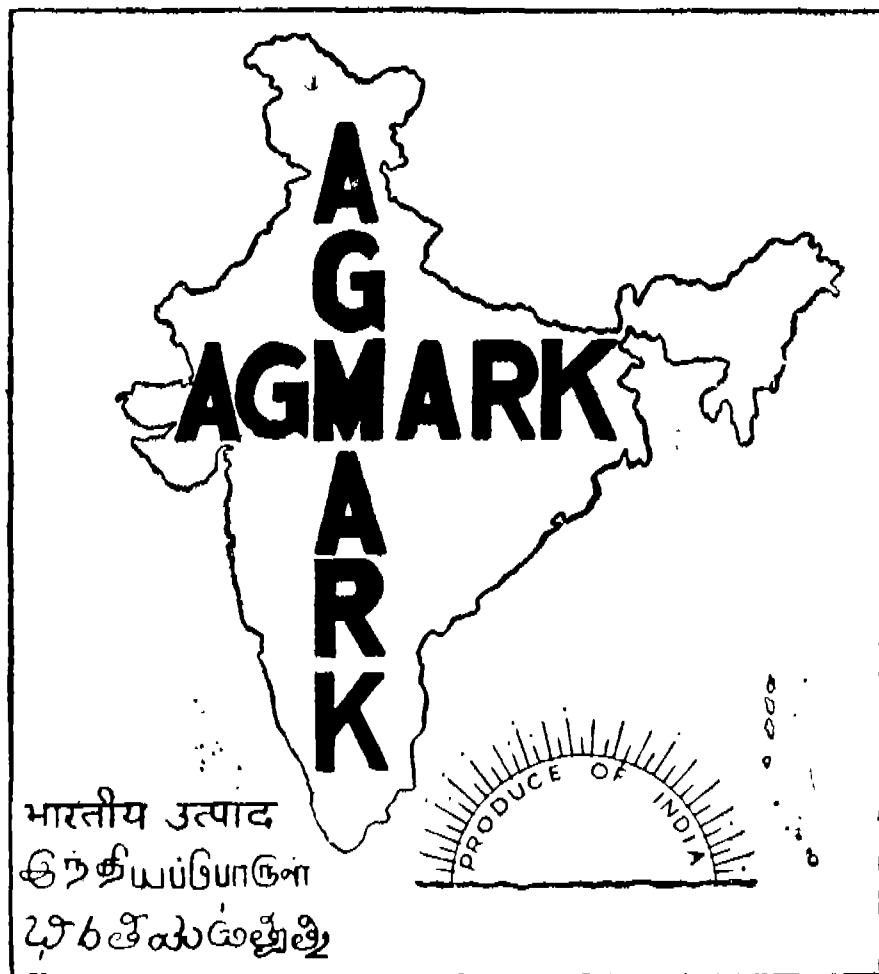
अनुसूची

(नियम 5 देखिए)

श्रेणी नाम चिन्ह

अनुसूची 2

(नियम 8 देखिए)



प्राधिकार पत्र की विशेष शर्तें—

(क) प्राधिकृत पैकर अण्डारकरण और प्रसंस्करण के द्वीपान गेहूं के साथ अन्य अनाजों के सिल जाने से बचाने के लिए, सभी मावशारी बरामदेगा।

(ख) प्राधिकृत पैकर सूजी और मैदा के परीक्षण के लिए, ऐसी विधम्या करेगा जो कृषि विषयन सलाहकार समय-समय पर ग्राहिकयित करे। अह नमूना के विषयेषण का समूचित अभिलेख भी रखेगा।

(ग) नमूने लेने और विषयेषण करने, आधान का मानवरक्षण और चिह्नाकाश करने प्रभिलेख रखने और विवरणिया आदि प्रस्तुत करने की रीति के नंबंध में कृषि विषयन सलाहकार द्वारा समय-समय पर जारी किए गए सभी अनुदेशों का कठोरना से पालन किया जाएगा।

(घ) उत्पादित मूजी और मैदा के प्रत्येक लाट से, कृषि विषयन सलाहकार द्वारा ग्राहिकयित रीति में लिया गया मूजी और मैदा का एक नमूना नियंत्रण प्रयोगशाला को भेजा जाएगा जिसके लिए समय-समय पर निवेश दिया जाए।

(ङ) प्राधिकृत पैकर, कृषि विषयन सलाहकार द्वारा इस निमित्त सम्बन्ध प्राधिकृत निरीक्षक ग्राहिकारी को प्रावधारक सभी सुविधाएं प्रदान करेगा।

प्रत्यक्षी 3

(आ)

श्रेणी नाम

मूर्ति (आ) का क्वालिटी का श्रेणी नाम और विवरण

साधारण लक्षण

कणों का आकार नमी का प्रतिशत कुल रास, का अस्त में 90 प्रतिशत शुष्क भार साधारण लक्षण
(मिल्ड या नाइट्रोन (भार के प्रतिशत शुष्क अविलेय एथनाल में के आधार के लिए लक्षण पर जो निम्न- भार के आधार रास का भार के पर ग्लूटन प्रतिशत, जो प्राई०एस० 710 जो निम्न- पर जो निम्न- प्रतिशत आधार पर प्रतिशत, जो माइक्रोन छलनी लिखित से शुष्क भार के अल्कोहलीय निम्नलिखित पर ठहर जाने अधिक नहीं आधार पर अस्तना (जैसे से कम नहीं आना प्रतिशत होगा। होगा। होगा। जो निम्न- एच२ एम होगा। लिखित से श्रो०४) जो अधिक नहीं शुष्क भार के होगा। आधार पर निम्नलिखित से अधिक नहीं होगा।

1

2

3

4

5

6

7

8

ब.क (बड़े कण)

न्यूनतम 90

13 5

1 0

0 05

0.10

6 0

- (1) सूखी अच्छे और स्वच्छ गेहू को पीस कर प्राप्त की जाएगी।
- (2) इसका साधारण स्वाद, गंध और शीम पीत रंग होगा।
- (3) यह फक्कूदी गंध कीटाणु संकरण, फक्कूदी सत्रामण और वाष्प पदार्थों से मुक्त होगी।
- (4) समस्त पदार्थ 1 18 मि०मी० आई०एस० छलनी से गुजरेगा और कम से कम 98 प्रतिशत 250 माइक्रोन आई०एस० छलनी पर रोक दिया जाएगा।

छो०क० (छोटे कण)

प्रधिकतम 10

18.5

1 0

0.25

0 10

6 0

प्रत्यक्षी 4

मैदा की क्वालिटी का श्रेणी-विभिन्नान और परिभाषा
(नियम 3 और 4 देखिए)

श्रेणी विभिन्नान

विशेष लक्षण

साधारण लक्षण

भार के आधार पर सभी का शुष्क भार के प्रतिशत जो आधार पर जो निम्नलिखित से अधिक नहीं होगा अधिक नहीं होगा कुल रास, प्रतिशत शुष्क भार के आधार पर आस्त में अल्कोहल से अल्कोहल का प्रतिशत, जो पर अल्कोहलीय अस्तना जैसे एच२ एस श्रो०४ का प्रतिशत, जो निम्नलिखित से अधिक नहीं होगा

1

2

3

4

5

6

7

हाई ग्लूटेन

13 0

1 0

0 05

0 1

10 0

(1) मैदा स्वच्छ सक्त या नर्म गेहूं

मीडियम ग्लूटेन

13 0

0 70

0 05

0 1

8 0

लो ग्लूटेन

13 0

0 70

0 05

0 1

7 0

- (1) मैदा स्वच्छ सक्त या नर्म गेहूं या उसके विवरण को पीस कर प्राप्त की जाएगी।
- (2) इसका साधारण स्वाद और गंध हीमी तथा वह कीटाणु और फक्कूदी संकरण, कृतज्ञ संकरण धूल और धन्य वाष्प पदार्थों से मुक्त होगी।

S.O. 3421.—Whereas certain draft of the Suji and Maida Grading and Marking Rules, 1977, was published, as required by Section 3 of the Agricultural Produce (Grading and Marking) Act, 1937, (I of 1937), on pages 223 to 228 of the Gazette of India, Part II, Section 3, Sub-section (ii), dated the 28th January, 1978, under the notification of the Government of India in the Ministry of Agriculture and Irrigation (Department of Rural Development) No. S. O. 251, dated the 30th September, 1977, inviting objections and suggestions from all persons likely to be affected thereby before the expiry of the period of fortyfive days from the date of publication of the said notification in the Official Gazette;

And whereas the copies of the said Gazette were made available to the public on the 28th January, 1978;

And whereas the objections and suggestions received from the public on the said draft have been considered by the Central Government;

Now, therefore, in exercise of the powers conferred by Section 3 of the said Act, the Central Government hereby makes the following rules, namely :—

RULES

1. Short title and application.—(i) These rules may be called the Suji and Maida Grading and Marking Rules, 1979.

(ii) They shall apply to Suji and Maida produced in India.

2. Definitions.—In these rules,—

(a) "Agricultural Marketing Adviser" means the Agricultural Marketing Adviser to the Government of India;

(b) "Authorised packer" means a person or a body of persons who has been granted a certificate of authorisation under Rule 3 of the General Grading and Marking Rules, 1937, in relation to Suji or Maida;

(c) "Schedule" means a schedule appended to these rules.

3. Grade designations.—The grade designations to indicate the quality of Suji and Maida shall be as set out in column 1 of Schedule III and IV.

4. Definition of quality.—The quality indicated by the grade designations shall be as set out against the said designations in columns 2 to 8 of Schedule III and 2 to 7 of Schedule I.

5. Grade designation mark.—The grade designation mark shall consist of a label supplied by the Agricultural Marketing Adviser specifying the grade designation and bearing a design (consisting of an outline map of India with the word AGMARK and the figure of the rising sun with the words "Produce of India") resembling the mark set out in Schedule I.

Note : (i) Each label shall have printed thereon a serial number along with a letter or letters denoting the series, e.g., A .004373.

(ii) The grade designation mark to be used on paper or cloth bags shall consist of a paste-on label specifying the grade designation.

(iii) The grade designation mark to be used on B-twill jute bags shall consist of a rectangular tie-on label specifying the grade designation.

6. Method of marking.—(i) The grade designation mark shall be clearly affixed to every container in a manner approved by the Agricultural Marketing Adviser.

(ii) In addition to the grade designation mark, every container shall be clearly marked with the following particulars, namely :—

- (a) date of packing;
- (b) lot number;
- (c) Name and address of packer; and
- (d) net weight.

(iii) An authorised packer may, after obtaining the prior approval of the Agricultural Marketing Adviser, mark his private trade mark on a container in a manner approved by the said officer, provided the private trade mark does not represent quality or grade of the Suji and Maida different from that indicated by the grade designation mark affixed on the container in accordance with these rules.

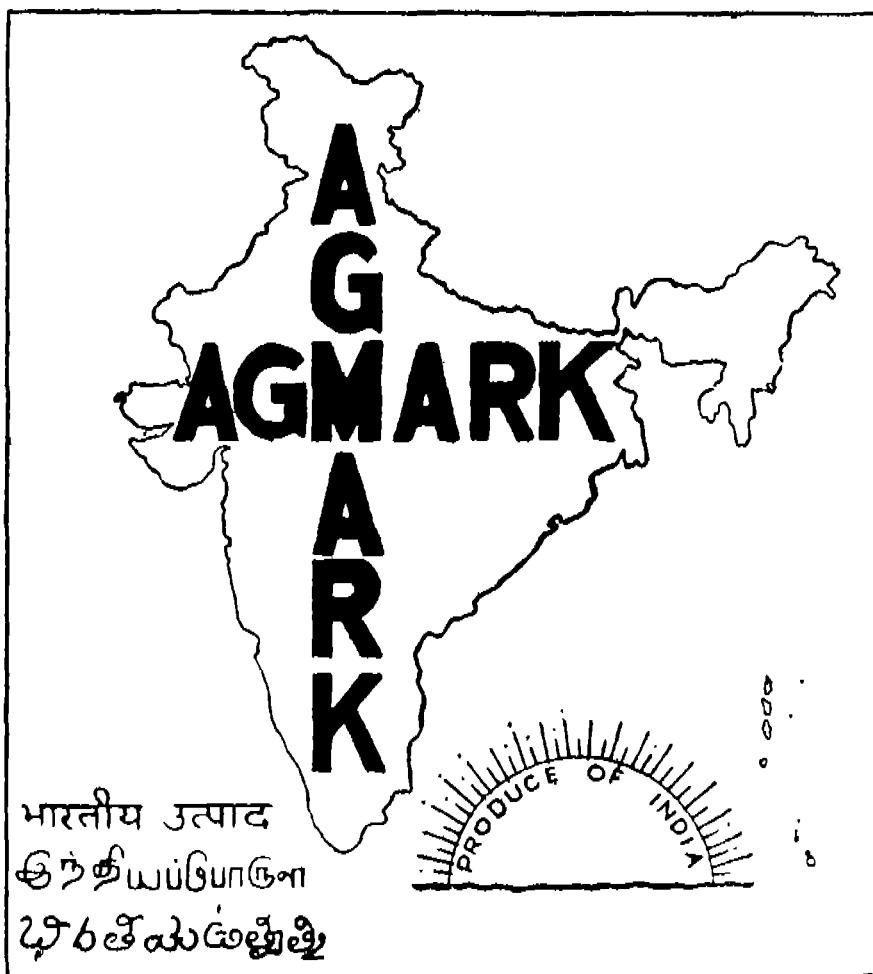
7. Method of packing.—(i) Only sound, clean and dry container made of paper, cloth B-twill jute or any other material as may be approved by the Agricultural Marketing Adviser, shall be used for packing. The container shall be free from any insect infestation or fungus contamination and also free from any undesirable smell.

(ii) The container shall be securely closed and sealed in the manner approved by the Agricultural Marketing Adviser.

(iii) Each package shall contain Suji or Maida of the same grade designation only.

8. Special conditions of Certificate of Authorisation.—In addition to the conditions specified in Rules 4 of the General Grading and Marking Rules, 1937, the conditions set out in Schedule II shall be the conditions of every certificate of authorisation issued for the purpose of these rules.

SCHEDULE I
(See rule 5)
Grade designation mark



SCHEDULE II

(See Rule 8)

Special conditions of Certificate of Authorisation.—(a) An authorised packer shall take all precautions to avoid admixture of other grains with the wheat during storage and processing.

(b) An authorised packer shall make such arrangement for testing Suji and Maida as may be laid down from time to time by the Agricultural Marketing Adviser. He shall also maintain proper records of the analysis of samples.

(c) All instructions regarding the method of sampling and analysis, sealing and marking of containers, the maintenance of

records and submission of returns, etc., which may be issued from time to time by the Agricultural Marketing Adviser, shall be strictly observed.

(d) A sample of Suji and Maida drawn in a manner laid down by the Agricultural Marketing Adviser from each lot of Suji and Maida produced shall be forwarded to such control laboratory as may be directed from time to time.

(e) An authorised packer shall provide all such facilities as may be necessary to the Inspecting Officers duly authorised by the Agricultural Marketing Adviser in this behalf.

SCHEDULED III

(See Rules 3 and 4)

(Grade designations and definition of quality of Suji (Rawa))

Grade designation	Special characteristics						General characteristics.
	Particle size (per cent) retained on IS. 710 Micron sieve of silk or nylon bolting cloth.	Moisture per cent by weight not exceeding	Total ash per cent (on dry weight basis) not exceeding.	Acid insoluble ash per cent (on dry weight basis) not exceeding.	Alcoholic acidity (as H_2SO_4) in 90% ethanol per cent (on dry weight basis) not exceeding.	Gluten per cent by weight (on dry weight basis) not less than	
1	2	3	4	5	6	7	8
L—P. (Large Particles)	Minimum 90	13.5	1.0	0.05	0.10	6.0	(1) Suji shall be obtained by grinding sound and clean wheat.

1	2	3	4	5	6	7	8
S.P. (Small Particles)	Maximum 10	13.5	1.0	0.05	0.10	6.0	(3) It shall be free from musty odour, insect infestation, fungus infection and extraneous matter. (4) All the material shall pass through 1.18 mm. IS Sieve and not less than 98 per cent shall be retained on 250 micron IS sieve.

SCHEDULE IV

(See rules 3 and 4)

Grade designations and definition of quality of Maida

Grade designation	Special Characteristics						General Characteristics.
	Moisture per cent by weight not exceeding	Total ash per cent (on dry weight basis) not exceeding	Acid insoluble ash per cent (on dry weight basis) not exceeding	Alcoholic acidity (as H SO 4) in 90 % alcohol per cent by weight not exceeding	Gluten per cent by weight not less than		
1	2	3	4	5	6	7	
High gluten	13.0	1.0	0.05	0.1	10.0		1. Maida shall be obtained by milling sound and clean, hard or soft wheat or blends thereof.
Medium Gluten	13.0	0.70	0.05	0.1	8.0		2. It shall have a characteristic taste and smell and shall be free from insect and fungus infection, rodent contamination, dirt, and other extraneous matter.
Low Gluten	13.0	0.70	0.05	0.1	7.0		

[No. 13-6/77-AM]

का० ग्रा० 3422.—केन्द्रीय सरकार, कृषि उपज (श्रेणीकरण और चिह्नांकन) प्रधिनियम, 1937 (1937 का 1) की धारा 3 द्वारा प्रवत्त शर्कियों का प्रयोग करते हुए, नम्बारू क्षेणीकरण और चिह्नांकन नियम, 1937 में और संशोधन करना आहती है। जैसा कि उक्त धारा में अपेक्षित है, प्रस्तावित संशोधनों का निम्नलिखित प्रारूप उन सभी शर्कियों की जानकारी के लिए प्रकाशित किया जा रहा है, जिनके उससे प्रभावित होने की संभावना है। इसके द्वारा सूचना दी जाती है कि उक्त प्रारूप पर प्रधिसूचना के राजपत्र में प्रकाशन की तारीख में 45 दिन के पश्चात् विचार किया जाएगा।

उपरोक्त अवधि में विनिर्दिष्ट तारीख से पूर्व नियमों के उक्त प्रारूप की वाकत जो भी आपनिया या सुझाव किसी व्यक्ति से प्राप्त होगे, केन्द्रीय सरकार उन पर विचार करेगी।

प्रारूप नियम

- (1) इन नियमों का नाम नम्बारू श्रेणीकरण और चिह्नांकन (संशोधन) नियम 1979 है।
- (2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होगे।

2. नम्बारू श्रेणीकरण और चिह्नांकन नियम, 1937 में, अनुसूची 2 के पश्चात् अनुसूची 2-वा के रूप में निम्नलिखित अनुसूची अन्तःस्थापित की जाएगी, अर्थात् :—

ग्रन्ति सूची 2-ब

(नियम 2 और 3 विविध)

ग्रान्ति प्रदेश और कर्नाटक राज्यों की हल्की मूदा में उगाई गई अधिनियमित धूमनाल संसाधित वर्जिनिया तम्बाकू की नवालिटी का थेणी मात्र परिमाण
(पावप स्थिति)

पावप स्थिति	थेणी	रंग	स्पाट कलूष/क्षति/परिपक्वता/दाना	मुख्य मांग	पत्ती का वर्णन	
			अपरिषट्ट का प्रतिशत			
1	2	3	4	5	6	7
प्राइमिंग	पी 1	चमकीला हल्का पीला या सन्तरी	15-20%	प्रधिक पका और बहुत पतला वानेदार	सेन्ट्रलिक जिससे पता चलता है कि काफी मात्रा में धूति हुई है।	
	पी 2	हल्का पीला या सन्तरी	20-30%	-यथोक्त-	-यथोक्त-	-यथोक्त-
	पी 3	-यथोक्त-	30-55%	-यथोक्त-	-यथोक्त-	-यथोक्त-
	पी 4	भूरा (गहरा)	80% तक	-यथोक्त-	-यथोक्त-	-यथोक्त-
	पी 5	भूरा	80% से अधिक	-यथोक्त-	-यथोक्त-	-यथोक्त-
लग और कर्तंक	एक्स 1	चमकदार हल्का पीला या सन्तरी	20% तक	पका और प्रधिक मध्यम पतला	चौड़ी पत्ती और अकोण सिरों से काफी चौली सुर्केली-उलम बनावट और प्राकृतिक चमक।	
	एक्स 2	हल्का पीला या सन्तरी	20-30%	-यथोक्त-	-यथोक्त-	-यथोक्त-
	एक्स 3	-यथोक्त-	30-55%	-यथोक्त-	-यथोक्त-	-यथोक्त-
	एक्स 4	भूरा	80% तक	-यथोक्त-	-यथोक्त-	-यथोक्त-
	एक्स 5	-यथोक्त-	80% से अधिक	-यथोक्त-	-यथोक्त-	-यथोक्त-
पत्ती	एल 1	चमकदार सन्तरी या हल्का पीला	20% तक	पका और मध्यम मध्यम से भारी वानेदार	सामान्यतः लम्बी किन्तु कर्तंक और चौड़ी नहीं गोदी किन्तु अधिक लचीली नहीं जिसमें साधारणतया मध्यमिरा और अन्य शिराएं उभरी हुई हैं।	
	एल 2	सन्तरी या हल्का पीला	20-30%	-यथोक्त-	-यथोक्त-	-यथोक्त-
	एल 3	हल्का पीला या सन्तरी	30-55%	-यथोक्त-	-यथोक्त-	-यथोक्त-
	एल 4	भूरा	80% तक	-यथोक्त-	-यथोक्त-	-यथोक्त-
	एल 5	भूरा या महोगनी	80% से अधिक	-यथोक्त-	-यथोक्त-	-यथोक्त-
टिप	टी 2	हल्का पीला या सन्तरी	30% तक	पके मध्यम से संकृत पके मध्यम से भारी वानेदार	गहरे रंग वाली प्रापरिष्ट रक्तना।	
	टी 3	-यथोक्त-	30-55%	-यथोक्त-	-यथोक्त-	-यथोक्त-
	टी 4	भूरा	80% तक	-यथोक्त-	-यथोक्त-	-यथोक्त-
	टी 5	भूरा या महोगनी	80% से अधिक	-यथोक्त-	-यथोक्त-	-यथोक्त-
“पी” एक्स “एक्स”	पी जी (बाटम प्रीन)	चमकदार पीला या हल्का पीला या सन्तरी से हल्का भूरा पीला या हरी पुट सहित हल्का भूरा पीला।	25% तक	पका, वानेदार हल्के से मध्यम बहिया से मध्यम	—	
“एल” एक्स “टी”	टी जी (टाप ग्रीन)	गहरा पीला या हल्का पीला या हरी पुट सहित हल्का भूरा पीला।	-यथोक्त-	पके से अधिक पका मध्यम से भारी कम से संकृत वानेदार, मध्यम से अपरिष्ट	—	
“पी” एक्स “एक्स”	पी०एम०जी० (बाटम मीडियम ग्रीन)	चमकदार पीला या हल्का पीला या सन्तरी से हल्का भूरा पीला या उस पर हरी रंग की झलक सहित सन्तरी हल्का पीला।	50% तक	पका, वानेदार हल्के से मध्यम बहिया से मध्यम	—	

1	2	3	4	5	6	7
“एल” एण्ड “टी”	टी०एम०जी० (टाप मीडियम शीन)	गहरे हल्के पाले या सन्तरी से भूरा सन्तरी या उम पर हरे रंग की झलक सहितीला	50%	पके से प्रधानका कम दानेदार से क्वोज दानेदार मध्यम से प्रपरिष्कृत	मध्यम से भारी	

[सं० 10-4/78-ए०एम०]

S.O. 3422.—The following draft of rules further to amend the Tabacco Grading and Marking Rules, 1937 which the Central Government proposes to make in exercise of the powers conferred by section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937) is hereby published as required by the said section for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the expiry of a period of 45 days from the date of publication of this notification in the Official Gazette.

Any objections or suggestions which may be received from any person with respect to the said draft before the date specified above will be considered by the Central Government.

DRAFT RULES

- (1) These rules may be called the Tobacco Grading and Marking (Amendment) Rules, 1979.
- (2) They shall come into force on the date of their publication in the Official Gazette.
2. In the Tobacco Grading and Marking Rules, 1937, after Schedule II, the following schedule shall be inserted as Schedule II-B namely :—

SCHEDULE II-B

(Sec Rules 2 and 3)

Grade designation and definition of quality of unmanufactured Fluecured Virginia Tobacco grown in the light soils of Andhra Pradesh and Karnataka States (Plant position).

Plant Position	Grade	Colour	Spot Blemish/ injury/waste in terms of percentage	Maturity/grain/ texture	Body	Description of leaf.
1	2	3	4	5	6	7

PRIMINGS	P1	Bright Lemon or Orange	15 to 20%	More ripe and grainy	very thin	Being send leaf shows a material amount of injury.
	P2	Lemon or Orange	20 to 30%	-do-	-do-	-do-
	P3	-do-	30 to 55%	-do-	-do-	-do-
	P4	Brownish (ruch)	upto 80%	-do-	-do-	-do-
	P5	Brownish	More than 80%	-do-	-do-	-do-

LUGS AND

CUTTERS	XI	Bright Lemon or Orange	upto 20%	Ripe and very grainy	Thin to Medium	Broader leaf with wider spread from butt ends-Elasticity-fine texture with natural lustre.
	X2	Lemon or Orange	20 to 30%	-do-	-do-	-do-
	X3	-do-	30 to 55%	-do-	-do-	-do-
	X4	Brownish	upto 80%	-do-	-do-	-do-
	X5	-do-	More than 80%	-do-	-do-	-do-

LEAF	L1	Bright Orange or Lemon	upto 20%	Ripe and Medium grainy	Medium to heavy bodied.	Usually long, but not as broad as cutters-Gummy but not very elastic. Generally having pronounced mid-rib and veins.
	L2	Orange or Lemon	20 to 30%	-do-	-do-	-d -
	L3	Lemon or Orange	30 to 55%	-do-	-do-	-do-
	L4	Brownish	Upto 80%	-do-	-do-	-do-
	L5	Brownish or Mahagony.	More than 80@	-do-	-do-	-do-

1	2	3	4	5	6	7
TIPS	T2	Lemon or Orange	Upto 30%	Under ripe medium to close grained.	Medium to heavy bodied.	Pointed tips with narrow blade Coarse texture having deep colour intensity.
	T3	-do-	30 to 55 %	-do-	-do-	-do-
	T4	Brownish	upto 80%	-do-	-do-	-do-
	T5	Brownish or Mahagony	More than 80%	-do-	-do-	-do-
"P" & "X"	BCG. (Bot- tom green)	Birght Yellow or Lemon or Orange to light Brownish Yellow or Orange or Lemon with Greenish Tinge on.	upto 25 %	Ripe, Grainy, Fine to Medium.	Light to Medium	—
"L" & "T"	T.G. (Top green)	Deep Yellow or Lemon or Orange to light brownish Yellow with greenish tinge. on.	-do-	Ripe to under ripe, less grainy, Medium to coarse.	Medium to heavy.	—
"P" & "X"	B.M.G. (Bott- om Green)	Birght Yellow or Lemon or Orange to light Brownish Medium Yellow or orange Green) lemon with green cast on.	Upto 50%	Ripe, Grainy, Fine to Medium	Light to Medium	—
"L" & "T"	T.M.G.	Deep Lemon (Top Medium Green) Yellow or Orange Medium to light brownish orange or yellow with green cast on.	-do-	Ripe to under- ripe less grainy to close grained, Medium to Coarse.	Medium to heavy	—

[No 10-4/78-AM]

का०खा० 3423—केन्द्रीय सरकार, कृषि उपज (श्रेणीकरण और चिह्नांकन) प्रधिनियम 1937 (1937 का 1) की धारा 3 के खण्ड (च) और माध्याग्र श्रेणीकरण और चिह्नांकन नियम, 1937 के नियम 4 के खण्ड (म) और (ट) के अनुसरण में, इस प्रधिमूलन के राजपत्र में प्रकाशन की तारीख से, नियांत के लिए एगमार्क के प्रक्षीत श्रेणीकृत जासमती चावल के पैकेजों पर लगाए जाने वाले एगमार्क लेबलों के लिए नीचे लिखे प्रमार नियत करती है, प्रथा:—

प्रति 10 किलोग्राम या उसके किसी भाग पर, 25 पैसे।

S.O. 3423.—In pursuance of clause (f) of section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937) and clauses (i) and (k) of rule 4 of the General Grading and Marking Rules, 1937, the Central Government hereby fixes, with effect from the date of publication of this notification in the Official Gazette, the undermentioned charges for Agmark labels to be affixed on the packages of Basmati Rice graded under Agmark for export, namely:—

25 paise per 10 kg. or part thereof.

[सं० 10-2/79-ए०एम०]

[No. F. 10-2/79-AM]

का०खा० 3424.—कृषि उपज (श्रेणीकरण और चिह्नांकन) प्रधिनियम 1937 (1937 का 1) की धारा 3 द्वारा यथा प्रपेक्षित रूप में खली (पेरी गई या विलायक निस्सारित) श्रेणीकरण और चिह्नांकन नियम, 1978 का प्रारूप, भारत सरकार के कृषि और विभाई मंत्रालय (गार्मीण विकास विभाग की प्रधिमूलन सं० का०खा० 252 तारीख 9 जनवरी, 1978 के प्रधीन भारत के राजपत्र भाग 2 खंड 3, उपखण्ड (ii) तारीख 28 जनवरी, 1978 के पृष्ठ 228 से 250 पर प्रकाशित किया गया था, जिसमें उक्त प्रधिमूलन के राजपत्र में प्रकाशन की तारीख से 45 विन की प्रवधि की समाप्ति के पूर्व उन सभी व्यक्तियों से प्राप्तेप और सुमात्र मांगे गए थे जिनके उससे प्रभावित होने की संभावना थी,

और उक्त राजपत्र की प्रतियाँ 28 जनवरी, 1979 को उपलब्ध करा दी गई थीं,
और उक्त प्राप्ति की आवश्यकता नहीं आपात्काल या युग्माय प्राप्त नहीं हुई है।
अतः, प्रबंध, केन्द्रीय मरकार उक्त अधिनियम की वार्ग 3 द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, खली श्रेणीकरण और चिन्हांकित नियम, 1962 को अधिकारात्मक करने हुए, निम्नलिखित नियम द्वारा दिया गया है, प्रथमतः—

नियम

1. संक्षिप्त नाम— इन नियमों का नाम बनायन व्यवस्था (पेरी गई या विलायक नियमार्थ) श्रेणीकरण और चिन्हांकन नियम, 1978 है।
2. परिभाषाएँ—इन नियमों में—
 - (क) "सलाहकार", में भारत मरकार का कृपि विपणन सलाहकार अभिप्रेत है,
 - (ख) "प्रमाण-पत्र" में प्राधिकरण प्रमाण-पत्र अभिप्रेत है,
 - (ग) "अनुसूची" में इन नियमों से संलग्न अनुसूची अभिप्रेत है।
3. श्रेणी का नाम—खली (पेरी गई या विलायक नियमार्थ) की क्वालिटी उपदण्डित करने वाले श्रेणी का नाम अनुसूची II के से IX तक के स्तम्भ (1) में यथा उपलब्धित होंगे।
4. क्वालिटी की परिभाषा—श्रेणी नामों द्वारा उपलब्धित की गई क्वालिटी अनुसूची II के से IX तक में प्रत्येक श्रेणी नाम के सामने यथा उपलब्धित होंगी।
 5. श्रेणी नाम चिन्ह—बनायन व्यवस्था (पेरी गई या विलायक नियमार्थ) के लिए श्रेणी नाम चिन्ह एक लेखल होगा जिस पर अनुसूची 1 में उपलब्धित होंगी और श्रेणी नाम, खली का नाम तथा वह विनियोग होगा कि वह पेरी गई खली है या विलायक नियमार्थ।
 6. चिन्हांकन के पद्धति, (1) श्रेणी का नाम चिन्ह प्रत्येक आधान पर सुरक्षित रूप में उस रीति में विपक्षा जाएगा या उस पर स्टैमिल किया जाएगा जो सलाहकार अनुमोदित करे या उसमें सलाहकार द्वारा पैकर को जारी किए गए प्रमाण-पत्र का संबंधित भी विनियोग किया जाएगा।
 - (2) प्रत्येक आधान पर निम्नलिखित विशिष्टियों स्पष्ट और अस्तित्व से चिन्हित की जाएगी—
 - (क) लाट भौतिक्यात्मक,
 - (ख) पैकर का नाम और पता,
 - (ग) पैकिंग की तारीख,
 - (घ) पैकिंग का स्थान।
 - (3) प्राधिकृत पैकर, सलाहकार का पूर्व अनुमोदन अभिप्राप्त करने के पश्चात्, आधान पर प्रपत्ता प्राइवेट व्यापार चिन्ह उस रीति में चिह्नित करेगा जो उक्त अधिकारी अनुमोदित करे,
 - परन्तु प्राइवेट व्यापार चिन्ह से खली की एस क्वालिटी या श्रेणी से भिन्न क्वालिटी या श्रेणी व्यक्त नहीं होनी चाहिए जो इन नियमों के अनुसार आधान पर विपक्षा गए श्रेणी नाम चिन्ह द्वारा उपलब्धित की गई है।
 7. पैकिंग की पद्धति: (1) खली केवल जूट या अन्य पकार्य से निर्मित ऐसे आधानों में पक की जाएगी जो सलाहकार समय-समय पर अनुमोदित करे।
 - (2) प्रत्येक आधान मजबूती से बन्द किया जाएगा और सील किया जाएगा और उसमें केवल एक व्यापार वर्णन तथा एक श्रेणी नाम की खली होगी।
 8. प्रमाण-पत्र की शर्तें—इन नियमों के प्रयोगन के लिए जारी किए गये प्रत्येक प्राधिकरण—प्रमाण-पत्र की शर्तें निम्नलिखित होंगी, प्रथमतः—
 - (क) प्राधिकृत पैकर ऐसी मध्ये पूर्वविधानियों वरने किए जिसमें कि एरणी के बीज और एरणी की खली की मिलावट न हो सके,
 - (ख) यदि प्राधिकृत पैकर एक ही परिसर में एक से अधिक प्रकार की खली का कार्य करता है तो वह विभिन्न व्यक्तियों की मिलावट को रोकते के लिए प्रयोगित पूर्वविधानियों गतेगा। परिसर साक एवं स्वास्थ्यकर होने चाहिए और उन्हें कार्यक रूप में धूमिल किया जाना चाहिए।
 - (ग) प्राधिकृत पैकर खलियों के परीक्षण के लिए ऐसी व्यवस्था करेगा जो सलाहकार समय-समय पर विनियोग करे और नमूनों के विश्लेषण का उचित अधिकारी भी रखेगा।
 - (घ) नमूना लेने, विश्लेषण पैकिंग और चिन्हांकन करने तथा अभिनेत्र रखने की पद्धतियों के बारे में मध्ये अनुदेशों का, जो सलाहकार समय-समय पर जारी करें, अनुपासन किया जाएगा।
 - (ङ) उस रीति में जैसी कि खली के प्रत्येक लाट से सलाहकार द्वारा विहित रूप में दिया गया नमूना ऐसी नियन्त्रण-प्रयोगशाला को अंग्रेसिल किया जाएगा जो भवय-समय पर अधिसूचित की जाए।
 - (च) श्रेणी नाम चिन्ह केवल उन अस्तुओं पर लगाए जाएंगे जो प्रमाणपत्र में वर्णित हैं और इसमें वर्णित परिसर में ही लगाए जाएंगे,
 - (छ) प्रमाणपत्र के प्रवर्तन के दौरान, उसका धारक, सभी युक्तियुक्त समयों पर, सलाहकार या केन्द्रीय सरकार द्वारा सम्यक रूप से प्राधिकृत किसी व्यक्ति को ऐसे प्रमाणपत्र में नामित परिसर में जाने देगा और यह अधिनियमित करने के लिए अधिविधायित देगा कि चिन्हांकन थीक रूप से किया जा रहा है।
 - (ज) प्रमाणपत्र धारक प्रत्येक श्रेणी नाम से चिन्हांकित पैकेजों की संख्या का अभिनेत्र रखेगा और सलाहकार केन्द्रीय सरकार द्वारा सम्यक रूप से प्राधिकृत किसी व्यक्ति को अभिनेत्र की परीक्षा करने देगा।

(क) प्रमाणपत्र धारक, यस्तक रूप से प्राधिकृत किसी व्यक्ति या किसी भी श्रेणीकृत उत्पाद का नमूना लेने देगा या श्रेणी नाम से चिह्नांकित किसी पैकेज को खोलने और उसका निरीक्षण करने देगा परन्तु यह तब जब सभी नमूनों के लिए संदाय कर दिया जाए।

(छ) सलाहकार या केन्द्रीय भरकार द्वारा इस निमित्त प्राधिकृत कोई व्यक्ति ऐसे किसी उत्पाद पर लगे किसी श्रेणी नाम चिह्न को रद्द कर सकेगा या उसे हटा सकेगा जिसे वह, वस्तु के लिए विहित क्वालिटी की परिभाषा के अनुसंधान नहीं आता है:

परन्तु जब कभी श्रेणी नाम चिह्न, ऐसे किसी श्रेणीकृत उत्पाद से हटाए जाते हैं जो प्राधिकृत पैकरों का न होकर विनरणों का है, तो प्राधिकृत पैकर, जब मलहकार ऐसा निरैश है, श्रेणी नाम चिह्न के हटाए जाने के परिणामस्वरूप विनरकों द्वारा उठाए गए नुकसान की पूर्ति करेगा। नुकसान उस अतिरिक्त मूल्य के आधार पर प्राक्कलित किया जाएगा जो कि समुचिततौर पर श्रेणीकृत उत्पाद के लिए अश्रेणीकृत उत्पाद की तत्समान मात्रा के आधार-मूल्य से अधिक प्राप्त होता है,

(ट) कृषि उपज (श्रेणीकरण और चिह्नांकन) प्रधिनियम, 1937 (1937 का 1) के आधीन बनाए गए सभी नियमों का (भी नमूना लेने, विज्ञेषण करने, कालिक विवरणियां देने आदि से संबंधित सभी अनुदेशों का, जो सलाहकार द्वारा समय-समय पर जारी किए जाएं) पालन किया जाएगा।

(ठ) सलाहकार या इस निमित्त सरकार द्वारा प्राधिकृत कोई भी व्यक्ति किसी भी प्रमाणपत्र को रद्द, प्रतिसंहृत, उपान्तरित या निलम्बित कर सकेगा, परन्तु यह तब जब प्रमाण पत्र धारक को, प्रमाणपत्र में दिए पते पर, चौबह दिन की नियत सूचना दे दी गई हो और इस आवधि कारण बताने का अवसर दिया गया हो कि ऐसे उसका प्रमाणपत्र क्यों न रद्द, प्रतिसंहृत, उपान्तरित, या निलम्बित कर दिया जाए।

(इ) प्रमाणपत्र धारक, मलहकार की लिखित सहमति से, अपने कारबाह के कागज पतों और सूचीपत्रों पर एगमार्क छिजाइन की प्रतिकृति का प्रयोग कर सकेगा।

(इ) विहित रीति में उत्पाद चिह्नांकन के लिए अपेक्षित स्टेंसिल रबर स्टाम्प, पंच या अन्य उपकरण इथवा लेबल, मलहकार या उसके द्वारा प्राधिकृत किसी व्यक्ति से ही, केन्द्रीय सरकार द्वारा इस निमित्त समय-समय पर नियत किए गए प्रभारों का संदाय करके, अभिप्राप्त किए जाएंगे और प्रमाणपत्र धारक उन्हें सुरक्षित अभिरक्षा में रखेंगे तथा प्रमाणपत्र के विधिमान्य न रह जाने पर उन्हें सलाहकार को या उसके द्वारा प्राधिकृत व्यक्ति को लौटा देगा।

(ण) यदि सलाहकार या उसके द्वारा इस निमित्त प्राधिकृत किसी व्यक्ति का इस आवधि समाधान हो जाता है या उसके पास यह इथवास करने का कारण है कि प्राधिकृत पैकर सभी नाम चिह्न का सही रूप में प्रयोग नहीं कर रहा है या यह संभवना है कि उसका सही रूप में प्रयोग नहीं किया जाएगा तो वह विहित रीति में उत्पाद के चिह्नांकन के लिए अपेक्षित श्रेणी नाम चिह्नों या किसी स्टेंसिल रबर स्टाम्प पंच या अन्य उपकरण आरी किए जाने या उसके उपयोग की कोई सूचना दिए जिना ही, ऐसी किसी अवधि के लिए विद्वारित या प्रेरणाद्वारा कर सकेगा। और वह बेहतर विवरण के हिस्से में सभीचीन समझें; और

(त) प्रमाणपत्र का धारक श्रेणी नाम चिह्नों से चिह्नांकित अनुसूचित वस्तुओं का क्वालिटी नियंत्रण प्रवृत्त करने के उपायों, जिनमें नमूनों का परीक्षण और उन वस्तुओं का निरीक्षण सम्मिलित है या किसी वर्ग की ऐसी वस्तुओं के विकल्प के संबंधित के लिए किए गए विज्ञापन के संबंध में लागत व्ययों की बाबत ऐसे प्रभारों का संदाय करेगा जो केन्द्रीय सरकार समय-समय पर विहित करें।

सैबलों के लिए श्रेणी अभिधान किया जाएगा

अनुसूची 11-क

(नियम 3 और 4 विविध)

मूंगफली की खली (वेरी छुई) की क्वालिटी के श्रेणी नाम और परिभाषाएं

भ्रेणी नाम	भार के अनुसार अप्रियकृत प्रोटीन अपरिष्कृत (प्रधिकरण 6. 25) का प्रतिशत	भार के अनुसार अप्रियकृत वशा या अन्य सार का प्रतिशत	भार के अनुसार अप्रियकृत रेशे का अप्रियकृत प्रतिशत	भार के अनुसार कूल राख का प्रतिशत	भार के अनुसार भूसी की प्रतिशत	भार के अनुसार भूसी का प्रतिशत	भार के अनुसार भूसी (प्रधिकरण 6. 25) का प्रतिशत	साधारण लक्षण
1	2	3	4	5	6	7	8	9

अन्तर्छी	8. 0	50. 0	8. 0	9. 0	7. 0	1. 5	कुछ नहीं	अन्तर्छी और उचित श्रेणी की खली केवल छिलके रहित मूंगफली का उत्पाद होनी जो शक्ति चालित भ्रेणीरी द्वारा तेल निष्कर्षण के बावजूद प्राप्त की जाएगी।
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	1	2	3	4	5	6	7	8	9
उचित	8.0	50.0	5.0	9.0	7.0	2.0	कुछ नहीं	(2) घामी छली के बल छिलके रहित मूंगफली का उत्पाद होगी जो पशुबलित बानी या चक्की के द्वारा तेल निष्कर्षण के बाद प्राप्त की जाएगी।	
खली	10.0	45.0	10.0	9.0	7.0	2.5	कुछ नहीं	(3) पदार्थ दृढ़ बनावट का होगा। (4) यह हानिकारक अवयवों और एरणी की खली या खूनी से मुक्त होगी। (5) यह पटवास, कीन्ट या फ़ूँद बादा और किंवित, सख्त या अन्य आपसिङ्गनक गत्थ से मुक्त होगी। (6) बहुपूर्ण और बाष्प पदार्थ से मुक्त होगी।	

टिप्पणी—स्तम्भ 3 से 7 तक में विनिर्दिष्ट भान, नयी रहित आधार संगणित किया गया है। वह पमुचन चारे के रूप में छिलके रहित मूंगफली के लिए भारतीय मानक विनिर्देश से लिया गया है।

[प्राई०एस० 1713-1960]

मूंगफली II-ख

(नियम 3 और 4 देखिए)

मूंगफली की खली (विलायक निस्तारित) की क्वालिटी के श्रेणी नाम और परिभाषाएं

श्रेणी नाम	भार के	भार के	भार के	भार के	भार के	एरणी की	साधारण सक्षण
मूंगुसार	मूंगुसार	मूंगुसार	मूंगुसार	मूंगुसार	मूंगुसार	भूसी	
नमी की	मूंगरिष्कृत	मूंगरिष्कृत	मूंगरिष्कृत	मूंगरिष्कृत	मूंगरिष्कृत	मूंगरिष्कृत	
प्रतिशत	प्रोटीन	वसा या	रेश का	रेश का	रेश का	अम्ल राख	
(भ्रष्टिकर्तम)	(नाइट्रोजन)	अम्ल सार	प्रतिशत	प्रतिशत	प्रतिशत	का प्रतिशत	
	6.25 का	का प्रतिशत	(भ्रष्टिकर्तम)	(भ्रष्टिकर्तम)	(भ्रष्टिकर्तम)		
	प्रतिशत	(न्यूनतम)					
	(न्यूनतम)						

	1	2	3	4	5	6	7	8
प्रचली	10.0	51.0	1.0	10.0	2.5	कुछ नहीं	(1) विलायक निष्कर्षित मूंगफली की खली (मील, एक्सप्लूर या बानी से पेरी गई मूंगफली की खली से किसी विलायक की सहायता से तेल निष्कर्षण से प्राप्त की जाएगी।	
उचित	10.0	47.0	1.5	12.0	2.5	कुछ नहीं	मील कुछ प्रारंभिक उपचार के बाद सीधे मूंगफली के श्रीजों से भी प्राप्त की जा सकती है। निष्कर्षण के लिए काम में लाई जाने वाले एक्सपेसर या बानी से पूरी की गई मूंगफली की खली साफ व ठोस मूंगफली (भारकिस हैपीजियान-एल) के पेरने से प्राप्त की गई होगी। प्रोटीन को विकृतिकरण से बचाने और विलायक तत्व हटाने के लिए मील को नियंत्रित भीर विनियमित परिस्थितियों में उच्चा और बाष्प शोधन के अधीन रखा	

1	2	3	4	5	6	7	8
							जाएगा। पवार्य पपड़ी या छूट के रूप में होगी और हानिकारक अवयवों और एरण्डी की खली मा भूसी या दोनों या मृदवा की खली से पुक्त होगा और खटवास अपमिश्रण, कीट या फूल बाढ़ा और सड़त दुर्गंध से मुक्त होगी।

टिप्पण : (1) स्तम्भ 3 से 6 तक में विनिर्दिष्ट मान, नमी रहित भाधार पर संगणित किया गया है। पशुधन-बोरे के रूप में विशायक निस्सारित मूँगफली की खली (मील) के लिए भारतीय मानक विनिर्दिष्ट से लिया गया है।

[आई एस० 3441-1966]

(2) निष्कर्षण के लिए विशायक—निष्कर्षण के प्रयोजनों के लिए केवल अच्छी श्रेणी का विशायक ही काम में लाया जाएगा।

विशायक संबंधी प्रभेशाएं निम्नलिखित होंगी :—

क्षमता रेंज 63 डिग्री से ७० से ७१ डिग्री से ७० तक

एरोमैटिक तत्व (प्रधिकतम) १ प्रतिशत

अवाष्पशील तत्व (प्रधिकतम) ०.००१ ग्राम/१०० मिली०।

अनुसूची III क

(नियम 3 और 4 देखिए)

ठिलके रहित विनोले की खली (पेरी हुई) की व्यासिटी के श्रेणी साम और परिभाषाएँ

श्रेणी नाम	भार के	भार के	भार के	भार के	भार के	भार के	एरण्डी की	साधारण लक्षण
भ्रुसार	भ्रुसार	भ्रुसार	भ्रुसार	भ्रुसार	भ्रुसार	भ्रुसार	भूसी	
नमी का	प्रपरिष्कृत	प्रपरिष्कृत	प्रपरिष्कृत	कुल राख	प्रविशेग			
प्रतिशत	प्रोटीन	वसा या	रेणो की	का प्रतिशत	प्रस्त राख			
(प्रधिकतम)	(नाइट्रोजन)	अन्य सार का प्रतिशत	(प्रधिकतम)	(प्रधिकतम)	का प्रतिशत			
	6. 25 का	प्रतिशत	(प्रधिकतम)		(प्रधिकतम)			
	प्रतिशत	(न्यूनतम)						
	(न्यूनतम)							

1	2	3	4	5	6	7	8	9
प्रण्डी	8. 0	40. 0	8. 0	10. 0	7. 0	1. 6	कुछ नहीं	(1) केवल साफ विनोले का उत्पाद होगी। मूल रूप से गिरि के साथ छिलके और रेणो के प्रपरिष्कृत प्रभावों से खली होगी जो तेल व निर्माण के समय छूट गए हों।
स्वच्छ	8. 0	41. 0	5. 0	12. 0	8. 0	2. 0	कुछ नहीं	(2) पदार्थ ठोस होगा किन्तु कठोर बनावट का न हो।
नं० 2	8. 0	37. 0	5. 0	14. 0	9. 0	2. 5	कुछ नहीं	(3) यह हानिकारक अवयवों और एरण्डी की खली व भूसी से मुक्त होगी।
								(4) यह खटावारा, अपमिश्रण कीटों या फूलदावाशा और किण्वित, सड़त या अन्य आपसिअनक दुर्गंध से मुक्त होगी।
								(5) यह छूल और बाल पवार्य से मुक्त होगी।

टिप्पण :— स्तम्भ 3 से 7 तक में विनिर्दिष्ट मान, नयी रहित भाधार पर संगणित किया गया है।

पशुधन-चारे के रूप में विनोले की खली के लिए भारतीय मानक विनिर्देश से लिया गया है।

[आई एस० 1712-1960]

મનુષાચી III ખ

(नियम 3 और 4 देखिए)

छिलके सहित बिनौले की खसी (पेरी छुइ) की क्षालिटी के धंरण अधिकार और परिभाषा।

श्रेणी नाम	भार के	भार के	भार के	भार के	भार के	भार के	एरण्डी की	साधारण लक्षण
	अनुसार	अनुसार	अनुसार	अनुसार	अनुसार	भूसी		
नमी का	अपरिष्कृत	अपरिष्कृत	कुल राज	प्राविलेय				
प्रतिशत	प्रोटीन	बसा या	रेशे का	का प्रतिशत	अम्ल राष्ट्र			
(अधिकतम)	(नाइट्रोजन	दैधरी भार	प्रतिशत	(अधिकतम)	का प्रतिशत			
	6. 25)	का प्रतिशत	(अधिकतम)		(अधिकतम)			
		प्रतिशत	(मूनतम)					
		(मूनतम)						
1	2	3	4	5	6	7	8	9
मध्यमी	10. 0	24. 0	7. 0	24. 0	9. 0	2. 5	कुछ नहीं	(1) केवल साबुत, साफ और जहां कही आवश्यक है। विशेषकर रोमेश्वार बीज की दशा में बिनीलि से तेल निकालने के बाद प्राप्त उत्पाद होती।
स्वच्छ	10. 0	24. 0	7. 0	28. 0	9. 0	2. 5	कुछ नहीं	(2) पवार्थे ठोस होता किन्तु कठोर नहीं होता।
								(3) यह हानिकारक अवयवों और एरण्डी की अली या भूसी से मुक्त होती।
								(4) यह छटावास, अपमिश्चण, कीटों या फक्कूद-बाधा और किण्वित सड़न या अन्य अपत्तिजनक तुरंत से मुक्त होती।
								(5) यह धूल और बाष्प पवार्थ से मुक्त होती।

टिप्पण : स्तम्भ 3 से 7 तक में विनिविष्ट मान, नभी रहित धोधार पर संगणित किया गया है।

पशु-चारे के रूप में बिनौले की खासी के लिए भारतीय मामक विनिर्देश से लिया गया है।

[આઇ.ଓ. ૧૭૧૨-૧૯૬૦]

अनुसूची III ग

(नियम 3 श्रीर 4 देखिए)

छिलके रहित विनाम्रे की खली (मील) — विसाधक विष्कृप्ति के प्रवापिटी के श्रेणी नाम और परिभाषा एवं

श्रेणी नाम	भार के अनु-	भार के	भार के	भार के	भार के	माध्यारण लक्षण
	सार भमी का	भनुसार	भनुसार	भनुसार	भनुसार	
	प्रतिशत	अपरिष्कृत	अपरिष्कृत	अपरिष्कृत	अमल राख्य	
(अधिकतम)	प्रौदीन (नाइट्रोजन	वसा या ईथर सार	रेखे का	का प्रतिशत	(अधिकतम)	
	6. 25 का	का प्रतिशत	(प्राथिकतम)			
	प्रतिशत	(अधिकतम)				
	(न्यूनतम)					

प्रचली 8.0 42.0 1.5 12.0 2.0 विलायक निष्कर्षित बिनीले की खबरी (मीस) छिल्के रहित बिनीले की खबरी से विलायक की सहायता में तेल निष्कर्षण से प्राप्त की जाएगी। माल कुँड पारंपरिक उत्तरार के बाद मीरे छिल्के रहित बिनीले से भी प्राप्त भी जा सकती है। निष्कर्षण के लिए काम में लाई जाने वाली बिनीले की खबरी, साफ और ठीस छिल्के रहित बिनीले को पेरये से प्राप्त की गई दोगी।

1	2	3	4	5	6	7
स्वच्छ	8.0	40.0	2.0	14.0	2.5	विलायक तत्व हटाने के लिए भौंल को नियमित और विनियमित परिस्थितियों, उड़ा और माप के श्रद्धिन रखा जाएगा। पश्चिम पश्चिम या चूर्ण के रूप में होगा और हानिकारक प्रश्यवां और एरण्डी की खली या भूसी और मुद्रित की खली से मुक्त होगा। यह सड़न बुर्ज्य से मुक्त होगी।

टिप्पण :—(1) स्तम्भ 3 से 6 तक में विनियमित मान नमी रहित आधार पर संगणित किया गया है। पश्चिम-चारे के रूप में विलायक निस्सारित बिनोल की खली (भौंल) के लिए आपातकालीन भारतीय मानक विनियम से लिया गया है।

(प्राई. एस. 3592 ई. 1966)

निष्कर्षण के लिए विलायक:—निष्कर्षण के प्रदोजनों के लिए केवल ईक्सेस, फूड श्रेणी का विलायक ही काम में आया जाएगा। विलायक की अवैधति निम्नलिखित होगी।

व्यवधान बूरी :—63 से० से० 71 से० तक

ऐरोमेटिक तत्व (अधिकतम) 1 प्रतिशत

अवाप्तशील तत्व (अधिकतम) 0001, ग्राम/100 मि० ली०

अनुसूची IV क

(नियम 3 और 4 विधिएं)

अलसी की खली (भौंल)—(पेरी हुई) की इकाइयां के श्रेणी नाम और परिस्थितियां

श्रेणी नाम	भार के अनुसार	भार के अपरीक्षुत नमी का (अधिकतम)	भार के वसा या रेणो का 6.25 का प्रतिशत	भार के अपरिक्षुत प्रतिशत	भार के अपरिक्षुत (अधिकतम)	भार के एरण्डी की भूसी	साधारण लक्षण
अरुणी	अनुसार	अनुसार	अनुसार	अनुसार	अनुसार	एरण्डी की भूसी	
नमी का	अपरीक्षुत	अपरिक्षुत	वसा या रेणो का	कुल ग्राम	अविसेय		
प्रतिशत	प्रीटीन	प्रीटीन	प्रतिशत	का प्रतिशत	अम्ल राख		
(अधिकतम)	नाइट्रोजन	ईथर सार	प्रतिशत	(अधिकतम)	का प्रतिशत	(अधिकतम)	
	6.25 का प्रतिशत	का प्रतिशत (अधिकतम)					
	(न्यूनतम)	(न्यूनतम)					
	(स्थूलतम)						

1	2	3	4	5	6	7	8	9
अरुणी	10.0	29.0	8.0	10.0	8.0	1.5	कुछ नहीं	(1) अरुणी और उचित श्रेणी की खली पक्षित वालित मरीन द्वारा अलसी के बीजों से तेल निष्कर्षण के बावजूद उत्पाद होगी।
उचित	10.0	29.0	5.0	10.0	8.0	1.5	कुछ नहीं	(2) धानी खली, पशुचालित धानी द्वारा अलसी के बीजों से सेन निष्कर्षण के बावजूद प्राप्त उत्पाद होगी।
								(3) पदार्थ हानिकारक प्रश्यवां और एरण्डी की खली या भूसी से मुक्त होगी।
धानी खली	10.0	26.0	15.0	6.0	9.0	2.5	कुछ नहीं	(4) यह खटवास, अपमिश्च औट या फूल-बाधा और किञ्चित, सड़न या अन्य आपत्तिजनक बुर्ज्य से मुक्त होगी।
								(5) यह धूल और बाह्य पदार्थ से मुक्त होगी।

टिप्पण :—अस्तम्भ 3 से 7 तक में विनियमित मान नमी हीनता के आधार पर संगणित किया गया है।

पश्चिम-चारे के रूप में अलसी की खली के लिए भारतीय मानक विनियम से लिया गया है।

[प्राई. एस. 1935-1961]

प्रत्यक्षी 4 अ

(नियम 3 और 4 देखिए)

अलसी की खली (मील) — विलायक निस्सारित की क्षालिटी के श्रेणी नाम और परिमाणाएं

श्रेणी नाम	भार के	भार के	भार के	भार के						
अनुसार	अनुसार	अनुसार	अनुसार							
नमी का	अपरिष्कृत	अपरिष्कृत	अपरिष्कृत	अपरिष्कृत	अपरिष्कृत	अपरिष्कृत	अपरिष्कृत	अपरिष्कृत	अपरिष्कृत	
प्रतिशत	प्रोटीन	वसा या	रेणे का	प्रतिशत	प्रतिशत	प्रतिशत	प्रतिशत	प्रतिशत	प्रतिशत	
(प्रधिकरण)	(नाईट्रोजन	ईयर सार	(प्रधिकरण)	(प्रधिकरण)	(प्रधिकरण)	(प्रधिकरण)	(प्रधिकरण)	(प्रधिकरण)	(प्रधिकरण)	
	का 6, 25)	का प्रतिशत	(प्रधिकरण)	(प्रधिकरण)	(प्रधिकरण)	(प्रधिकरण)	(प्रधिकरण)	(प्रधिकरण)	(प्रधिकरण)	
	(न्यूनतम)									
1	2	3	4	5	6	7				
मात्राएँ	10.0	33.0	1.0	9.0	2.5	7				
स्वच्छ	10.0	29.0	1.5	11.0	2.5	प्रिलायक निष्कर्षित अलसी की खली (मील), एक्सपेलर या धानी से पेरी गई अलसी की खली से विलायक की सहायता से तेल निष्कर्षण द्वारा प्राप्त की जाएगी। मील कुछ प्रारंभिक उच्चार के बाद यीवे अलसी के बीज से भी प्राप्त की जा सकती है। निष्कर्षण, साफ और अच्छी अलसी (लिनम उस्टेटिस्यम एल) की पिराई द्वारा प्राप्त किया जायगा।				
स्वच्छ	10.0	29.0	1.5	11.0	2.5	प्रोटीन को विकृतीकरण से बचाने और विलायक तर्थ हटाने के लिए मील नियंत्रित और विनियमित वशाओं में, उच्चा और माप शोधन के अधीन रखी जाएगी। पदार्थ पपड़ी या चूर्ण के रूप में होगा और हानिकारक अवयवों और एरप्पी की खली या भूसी या बोनों या महुमा की खली से मुक्त होगा। यह खटबाल, अपमिश्रण, कीटों का फूट बाधा और सड़न तुरंत से मुक्त होगा।				

टिप्पणी :— (1) स्तम्भ 3 से 6 तक में विनियष्ट मान नहीं हीनता के प्राप्तार पर संगति किया गया है।

पशुपन-ज्वारे के रूप में विलायक निस्सारित अलसी की खली (मील) के लिए भारतीय मान विनियोग से लिया गया है।

[प्राईवेट एस० 3440-1966]

निष्कर्ष के लिए विलायक :— निष्कर्षण के प्रयोजन के लिए केवल हैक्सेन-फूड श्रेणी का विलायक ही काम में लाया जाएगा।

विलायक की प्रयोक्ता निम्नलिखित होंगे :—

क्षयम दूरी—63° से 0 से 71° तक

ऐसरोमेटिक तत्व (प्रधिकरण) — 1 प्रतिशत

ग्रावार्जील तत्व (प्रधिकरण) 0.001 ग्राम/100 मि०लि०

प्रत्यक्षी 5 अ

(नियम 3 और 4 देखिए)

सरसों की खली — (पेरी हुई) की क्षालिटी के श्रेणी नाम और परिमाणाएं

श्रेणी नाम	भार के	भार के	भार के	भार के	भार के	भार के	भार के	एरण्डी की	माधारण लक्षण
अनुसार	अनुसार	अनुसार	अनुसार	अनुसार	अनुसार	अनुसार	अनुसार	भूसी	
नमी का	अपरिष्कृत	अपरिष्कृत	अपरिष्कृत	अपरिष्कृत	अपरिष्कृत	अपरिष्कृत	अपरिष्कृत	अपरिष्कृत	
प्रतिशत	प्रोटीन	वसा या	रेणे का	प्रतिशत	प्रतिशत	प्रतिशत	प्रतिशत	प्रतिशत	
(प्रधिकरण)	(नाईट्रोजन)	ईयर सार	(प्रधिकरण)	(प्रधिकरण)	(प्रधिकरण)	(प्रधिकरण)	(प्रधिकरण)	(प्रधिकरण)	
	का प्रतिशत	का प्रतिशत	(प्रधिकरण)	(प्रधिकरण)	(प्रधिकरण)	(प्रधिकरण)	(प्रधिकरण)	(प्रधिकरण)	
	(प्रधिकरण)	(न्यूनतम)							
1	2	3	4	5	6	7	8	9	
मात्राएँ	10.0	35.0	8.0	9.0	8.0	1.5	कुछ नहीं	(1) एरण्डी और उचित श्रेणी की खली शक्ति कालित मशीन द्वारा सरसों के बीज से तेल निष्कर्षण के बाव प्राप्त उत्पाद होगी।	

(1) एरण्डी और उचित श्रेणी की खली शक्ति कालित मशीन द्वारा सरसों के बीज से तेल निष्कर्षण के बाव प्राप्त उत्पाद होगी।

1	2	3	4	5	6	7	8	9
उचित	10.0	37.0	5.0	10.0	9.0	2.0	कुछ नहीं	(2) धानी की खली पृष्ठ आलिन या कोल्हु डारा सरसों के थोड़े में तेल निष्कर्षण के बाद प्राप्त उत्पाद होगी।
आनी खली	12.0	33.0	12.0	7.0	8.0	2.5	कुछ नहीं	(3) पदार्थ आर्जीमोन अरण्डी की इसी या भूमी नहिं अथवा हानिकारक अवयवों से मुक्त होगी।
								(4) यह खटवास, अपमिश्चण, कीट या फफूर बादा और किण्वत, सड़न या अन्य आपत्तिजनक दुर्गम्भ से मुक्त होगी।
								(5) यह धूल और गाढ़ पदार्थ से मुक्त होगी।

'सरसों के बीज' शब्द के अन्तर्गत राई (ब्रेसिका जन्सिया कास) सरसों (ब्रेसिका कैम्पसिट्स बैराइटी सरसों) तौरिया (ब्रेसिका कम्पसिट्स बैराइटी जौरिया और तारापीरा (एक्सा स्टाइव्स) भी है।

स्तम्भ 3 और 7 तक में विनिर्विट मान, नमी हीनता के प्राधार पर संगणित किया गया है।

पशुधन चारे के रूप में सरसों और तौरिया की खली के लिए भारतीय मानक विनिर्वेश से लिया गया है। [धारा एस० 1932-1961]

अनुसूची 5 ख

(नियम 3 और 4 देखिए)

सरसों की खली—विलायक निष्पारित की क्वालिटी के श्रेणी नाम और परिभाषाएं

श्रेणी नाम	भार के	भार के	भार के	भार के	भार के	साधारण सक्षण
अनुसार	अनुसार	अनुसार	अनुसार	अनुसार	अनुसार	
नमी का	अपरिष्कृत	अपरिष्कृत	अपरिष्कृत	अपरिष्कृत	अपरिष्कृत	अधिकतम
प्रतिशत	प्रोटीन	वसा या	रेशे का	प्रमाण सार		
(अधिकतम)	(नाइट्रोजन	ईयर सार	प्रतिशत	का प्रतिशत		
	(नाइट्रोजन		(प्रतिशत)	(प्रतिशत)		
	का 6.25)			(अधिकतम)		
	प्रतिशत	(अधिकतम)				
		(न्यूनतम)				

1	2	3	4	5	6	7
झण्डी	10.0	45.0	1.0	11.0	1.8	विलायक निष्पारित सरसों की खली (मील) द्रवजालित एक्सप्लैनर या चक्की से पेरी गई खली से विलायक की सहायता से तेल निष्कर्षण से प्राप्त की जाएगी। मील प्रारम्भिक उपचार के बाद सीधे ठोस सरसों के बीच (राई-ब्रेसिका जीन्सिया) सरसों (ब्रेसिका कैम्पसिट्स), तौरिया (ब्रेसिका कैम्पसिट्स) और तारापीरा (एक्सा स्टाइव्स) से भी प्राप्त की जा सकती है। प्रोटीन को विहृतीकरण से बचने और विलायक तत्व हटाने के लिए कीटक नियंत्रित और विनियमित दशाओं में उष्मा और भाष्प गोष्ठक के अधीन रखी जाएगी। पदार्थ, पपड़ी या खूंच के रूप में होगा और हानिकारक अवयवों और एरण्डी की खली या भूसी या दोनों या महुआ की खली या आर्जिमोन की खली से मुक्त होगा। यह खटवास, उपमिश्चण, कीट या फूंद बादा और सड़न दुर्गम्भ से मुक्त होगी।
उचित	10.0	43.0	1.5	12.0	2.5	

टिप्पण—(1) स्तम्भ 3 से 6 तक विलायक मान नमी हीनता के प्राधार पर संगणित किया गया है। भारतीय मानक संस्था विनिर्वेश से नहीं लिया गया है।

(2) निष्कर्षण के लिए विलायक : निष्कर्षण के प्रयोजनों के लिए केवल ईक्सेन-फूल श्रेणी का विलायक ही काम में आया जाएगा।

विलायक की अपेक्षाएं निम्नलिखित होंगी:—

कथरन दूरी— 63° सेंट्र से 71° तक

ऐरोमेटिक तत्व (अधिकतम) — 1 प्रतिशत

अवाप्तशील तत्व (अधिकतम) — 0.001 ग्राम/100 मिलीली

अनुसूची ६ (क)

(नियम 3 और 4 देखिए)

मेसमम (तिल) की खुली (पेरी हुई) की अवानिटी के शेणी नाम प्रौर परिभाषाएँ

श्रेणी नाम	भार के	भार के	भार के	भार के	भार के	भार के	प्रणयी की	साधारण लक्षण
	अनुमार	अनुमार	अनुमार	अनुमार	अनुमार	अनुमार	भूसी	
नमी का	अपरिष्कृत	अपरिष्कृत	अपरिष्कृत	कुल राख	अविलय			
प्रतिशत	प्रोटीन	वसा या	रेशे का	का प्रतिशत	अम्ल राख			
(अधिकतम)	(नाइट्रोजन का 6. 25)	ईथर सार	प्रतिशत	(अधिकतम)	का प्रतिशत	(अधिकतम)	(अधिकतम)	
		का प्रतिशत	(अधिकतम)					
		(न्यूनतम)						
1	2	3	4	5	6	7	8	9
अच्छी	10. 0	37. 0	8. 0	7. 0	13. 0	1. 5	कुछ नहीं	(1) अच्छी और उचित श्रेणी की खली शक्ति वालित मरीच द्वारा सेसमम (तिल) के बीज से तेल निष्कर्षण के बाद प्राप्त उत्पाद होगी ।
उचित	10. 0	37. 0	5. 0	7. 0	13. 0	2. 0	कुछ नहीं	(2) धानी की खली, पशु वालित धानी द्वारा सेसमम (तिल) बीजों से तेल निष्कर्षण के बाद प्राप्त उत्पाद होगी ।
धानी खसी	10. 0	36. 0	1. 0	7. 0	13. 0	2. 0	कुछ नहीं	(3) यह पदार्थ हानिकारक प्रवर्यावों द्वारा एरणी के खली या भूसी से मुक्त होगा ।
								(4) यह खटबास, अपमिश्चण, कीट फफूर बाधा और किणिवत, सड़न या अन्य आपत्तिजनक दुर्बंध से मुक्त होगी ।
								(5) यह धूल या बाल्य पदार्थ से मुक्त होगी ।

टिप्पणी:— स्तम्भ 3 से 7 तक में विनिर्दिष्ट मान नमी हीनता के आधार पर संगणित किया गया है।

पराधन—जारे के रूप में सेसमम (तिल) की खट्टी के लिए भारतीय मानक विनियोग से लिया गया है। [प्राई. एस० 1934-1961]

अनुसूची ६ (ख)

(नियम 3 और 4 देखिए)

सेसमम (तिल) की खली-विलायक निम्सारिस की व्यालिटी के शेणी नाम प्रौर परिभाषाएँ

भेणी नाम	भार के	भार के	भार के	भार के	भार के	साधारण लक्षण
	अनुसार	अनुसार	अनुसार	अनुसार	अनुसार	
नमी का	अपरिष्कृत	अपरिष्कृत	अपरिष्कृत	अपरिष्कृत	अपरिष्कृत	अविलय
प्रतिशत	प्रोटीन	वसा या	रेणे का	अम्ल राख		
(अधिकतम)	(नाश्ट्रोजन	ईयर सार	प्रतिशत	का प्रतिशत		
	का 6. 25)	का प्रतिशत	(अधिकतम)	(अधिकतम)		
		प्रतिशत	(अधिकतम)			
		(अधिकतम)				
1	2	3	4	5	6	7
अच्छी	10. 0	44. 0	1. 0	8. 5	1. 8	दिलायक निष्कर्षित सेसमम (तिल) की खीरी एक्सप्रेसर या धानी से देरी गई सेसमम (तिल) की खीरी से विलायक की सहायता से तिल निष्कर्षण से प्राप्त की जाएगी। खीरी कुछ प्रारम्भिक उपचार के बाद सेंधी सेसमम (तिल) के छोड़ों से भी प्राप्त की जा सकती है।

1	2	3	4	5	6	7
उचित	10.0	44.0	1.5	8.5	1.8	निलकर्तण के लिए प्रयोग किए जाने वाले एकमवेतर या धानी द्वारा वैरा गया सेसम (तिल) खली ठोप और स्वच्छ सेसम (तिल) बीजों को पेरने से प्राप्त की जानी चाहिए। प्रोटीन को विहतो-करण से बचाने और विलायक तत्व हटाने के लिए कीटक नियंत्रित और विनियमित दण्डाओं में उड़ाना और बाष्प शोधन के अधीन रखा जाएगा। पदार्थ, पपड़ी या चूर्ण के रूप में होगा और हानिकारक प्रवयदां और एरण्डी की खली या भूसी या बोनों या महुआ की खली से मुक्त होगा। यह खटवास, ग्रप्पमिश्रण, कीट, कफूंद बाधा और सड़न, दुर्गंध से मुक्त होगी।

टिप्पण :—(1) स्तम्भ 3 से 6 तक विनियिष्ट मात्र नमी हीनता के प्राधार पर संगणित किया गया है।

(2) निलकर्तण के लिए विलायक :—निलकर्तण के प्रयोजनों के लिए केवल हेक्सेन-फूड प्रेणी का विलायक ही काम में लाया जाएगा।

विलायक की व्यापाराएं निम्नलिखित होती हैं :—

विलायक तुरी 63° से 0 से 71° तक।

ऐरोमेटिक तत्व (अधिकतम) 1 प्रतिशत

प्रवायप्रीत तत्व (अधिकतम) 0.001/100 मिलो लिंगों

प्रत्यक्षी (क)

(नियम 3 और 4 देखिए)

मारियल की खली ऐरो हुई की व्यासलिटी के अंतर्गत नाम और परिवाराएं

श्रेणी नाम	भार के	भार के	भार के	भार के	भार के	भार के	एरण्डी की	साधारण लक्षण
	प्रनुसार	प्रनुसार	प्रनुसार	प्रनुसार	प्रनुसार	प्रनुसार	भूसी	
	नमी का	प्रपरिष्कृत	प्रपरिष्कृत	प्रपरिष्कृत	कुल राख	प्रविलेय		
	प्रतिशत	प्रोटीन	प्रसा या	ऐरो का	का प्रतिशत	प्रम्ल राख		
(अधिकतम)	(नाइट्रोजन का 6.25)	(प्रपरिष्कृत (न्यूनतम)	(प्रपरिष्कृत (न्यूनतम)	(प्रपरिष्कृत (न्यूनतम)	(प्रपरिष्कृत (न्यूनतम)	(प्रपरिष्कृत (न्यूनतम)	का प्रतिशत	(प्रपरिष्कृत (न्यूनतम)

1	2	3	4	5	6	7	8	9
प्रकृष्टी	10.0	21.0	8.0	12.0	8.0	1.5	कुछ नहीं	(1) प्रकृष्टी श्रेणी की व्यासलिट की खली शर्कित व्यासित मस्तीन द्वारा बोपरे (सूखे नारियल की गिरी) से प्राप्त उपज होती।
प्रानी	12.0	18.0	13.0	12.0	8.5	2.0	कुछ नहीं	(2) धानी श्रेणी की खली पशु व्यासित धानी या चक्की द्वारा बोपरे (सूखे नारियल की गिरी) से तेल मिलकर्ते के बावजूद उपज होती।

टिप्पण :—स्तम्भ 3 से 2 तक विनियिष्ट मात्र नमी हीनता के प्राधार पर संगणित किया गया है।

प्राप्तिशत—चारे के रूप में नारियल की खली के लिए भारतीय मानक विनियोग से लिया गया है।

(पार्टी०एस० 2154-1962)

भूसूची 7 वा

(नियम 3 प्रीर 4 देखिए)

नारियल की खली (मील) विलायक निस्तारित की व्यालिटी के अंगी नाम और परिमाणाएं

अंगी नाम	भार के	भार के	भार के	भार के	भार के	साधारण संक्षण
	भनुसार	भनुसार	भनुसार	भनुसार	भनुसार	
नमी का	प्रपरिष्कृत	प्रपरिष्कृत	प्रपरिष्कृत	प्रपरिष्कृत	प्रविलेयक	
प्रतिशत	प्रोटीन	वसा या	रेशे का	प्रतिशत	प्रमल राख	
(प्रधिकरण)	(नाइट्रोजन	ईयर सार	प्रतिशत	(प्रधिकरण)	(प्रधिकरण)	
	6. 25) का	का प्रतिशत	(प्रधिकरण)	(प्रधिकरण)	(प्रधिकरण)	
प्रतिशत	(न्यूनतम)					

	1	2	3	4	5	6	7
प्रचली	10.0	23.0	1.0	14.0	1.5		
उचित	10.0	21.0	1.5	15.0	2.0	यह हानिकारक प्रवयों और एरणों की खली (मील), एक्सप्रेसर या धानी से पेरी गई नारियल की खली से विलायक की सहायता से तेल निष्कर्षण द्वारा प्राप्त की जाएगी। निष्कर्षण के लिए काम में लाई जाने वाली एक्सप्रेसर या धानी से पेरी गई नारियल की खली स्वच्छ और डोस नारियल पेरने से प्राप्त की गई होगी। विलायक तत्त्व हटाने के लिए मील नियालित और विनियमित शशांकों में, उड़ान और धान योग्यन के प्रमाण रखी जाएगी। पश्चाय पकड़ी या खूंख के रूप में होगी।	
							यह हानिकारक प्रवयों और एरणों की खली (मील) भूसी या धानी और महुआ की खली से मुक्त होगी। यह खटवास प्रपनिश्रण, कोट या कफ्कूद धान और सड़न से मुक्त होगी।

- टिप्पणी—(1) स्तम्भ 3 से 6 तक में विनिरिप्ट मान नमी धूनता के प्राधार पर संगति किया गया है। पश्चायन (वारे के रूप में) विलायक निस्तारित नारियल की खली (मील) के लिए प्राप्तकालीन भारतीय मानक विनिर्देश से लिया गया है। (प्रा०००३५९१ ई० १९६६)।
- (2) निष्कर्षण के लिए विलायक—निष्कर्षण के प्रयोजन के लिए केवल ऐक्सेन-फूड अंगी का विलायक ही काम में लाया जाएगा। विलायक की अपेक्षाएं निम्नलिखित होंगी:—
- कवयन वेटो—63° से० से 71° से० तक।
- ऐरोमटिक तत्त्व (प्रधिकरण)---1 प्रतिशत।
- प्रथाल्यक्षीय तत्त्व (प्रधिकरण)---0.001 ग्राम/100 मि०ली०

भूसूची 8 वा

(नियम 3 प्रीर 4 देखिए)

कुसुम की खली (पेरो हुई) की व्यालिटी के अंगी नाम और परिमाणाएं

अंगी नाम	भार के	भार के	भार के	भार के	भार के	भार के	एरणी की	साधारण संक्षण
	भनुसार	भनुसार	भनुसार	भनुसार	भनुसार	भनुसार	भूसी	
नमी का	प्रपरिष्कृत	प्रपरिष्कृत	प्रपरिष्कृत	प्रपरिष्कृत	कुलराख	प्रविलेय		
प्रतिशत	प्रोटीन	वसा ईयर	रेशे का	प्रतिशत	प्रमल राख			
(प्रधिकरण)	(नाइट्रोजन	सार का	प्रतिशत	(प्रधिकरण)	प्रतिशत	(प्रधिकरण)		
	6. 25) का	प्रतिशत	(प्रधिकरण)					
प्रतिशत	(न्यूनतम)							

	1	2	3	4	5	1	2	3	4
प्रचली	8.0	41.0	8.0	13.0	8.0	7.0	कुल नहीं	(1) अंगी और उचित अंगीयों की खली कुसुम के बीज (कार्यमस टिटोरियस एल) की उत्पाद होंगी जो शक्ति वालित मशीन द्वारा डोस और स्वच्छ बीजों से तेल निष्कर्षण के बाव प्राप्त की गई होगी।	
उचित	8.0	39.0	10.0	15.0	8.0	2.0	कुल नहीं	(2) धानी खली पाण वालित धानी या बकली के द्वारा स्वच्छ और डोस कुसुम के बीज (कार्यमस टिटोरियस एल) से तेल विष्कर्षण के बाव प्राप्त उत्पाद होगी।	

1	2	3	4	5	6	7	8
धानी खली	10. 0	38. 0	13. 0	12. 0	8. 0	1. 0	कुल नहीं (3) पदार्थ दृढ़ बनावट का होगा (4) यह हानिकारक अवयवों और एंटीं की खली या भूमी से मुक्त होगी ।
							(5) यह खटबास, अपमिश्चण, कीट और फलूद जाधा शीर किण्वत, मङ्गन या अन्य आपत्तिजनक दुर्बल्य से मुक्त होगी ।
							(6) यह धूल और जाहा पदार्थ से मुक्त होगी ।

टिप्पणः—स्तम्भ 3 से 7 तक में विनिर्विष्ट मान नमी होनता के आधार पर संगणित किया गया है।

धनुसूखी 8-ए

(नियम 3 और 4 वेष्टिए)

कुसुम की खली (विलायक निष्टारित) की विवालिटी के अंतर्गत नाम और परिवाहाएं

श्रेणी नाम	भार के	भार के	भार के	भार के	भार के	भार के	माधारण लक्षण
	अनुसार	अनुसार	अनुसार	अनुसार	अनुसार	अनुसार	
	नमी का	अपरिष्कृत	अपरिष्कृत	अविलेपक	अपरिष्कृत		
	प्रतिशत	प्रोटीन	वसा या	अम्ल राख	रेण का		
(अधिकतम)	(नाइट्रोजन	ईथर सार	का प्रतिशत	प्रतिशत	प्रतिशत		
	6. 25) का	का प्रतिशत	(अधिकतम)	(अधिकतम)	(अधिकतम)		
		प्रतिशत	(अधिकतम)				
		(न्यूनतम)					

1	2	3	4	5	6	7
धनुषी	10. 0	50. 0	1. 0	1. 5	15. 0	विलायक निष्कर्षित कुसुम की खली (मील) धानी या एकमपेलर में पेरी दृढ़ कुसुम की खली से विलायक की सहायता से तेल निष्कर्षण से प्राप्त की जाएगी।
उचित	10. 0	47. 0	1. 0	2. 5	18. 0	धानी या एकमपेलर से पेरी गई कुसुम की खली साफ और ठोन कुसुम के शीज (कार्पेम टिण्टोस्ट्रियस एल) पैरने से प्राप्त की गई होगी। प्रोटीन को विहृतीकरण से बचाने और विलायक तत्व हटाने के सिए निष्कर्षित खली (मील) नियंत्रित और विनियमित विषाधों में उत्तम और वाष्प शोधन के अधीन रखी जाएगी। पदार्थ परमी या बूर्ज के रूप में होगा और हानि- कारक अवयवों या एरणी से मुक्त होगी। यह खटबास, अपमिश्चण कीट या फलूद जाधा और मङ्गन दुर्बल्य से मुक्त होगी।

टिप्पणः—(1) स्तम्भ 3 से 6 तक में विनिर्विष्ट मान नमी होनता के आधार पर संगणित किया गया है।

(2) विनिर्वेष प्रासूत्य को प्रवस्था में भारतीय मानक संस्था के पास है और अभी तक उन्हें अंतिम रूप नहीं दिया गया है।

(3) निष्कर्ष के लिए विलायक :—निष्कर्ष के प्रयोजन के लिए केवल हैक्सेन-फूड श्रेणी का विलायक ही काम में लाया जाएगा। विलायक की अपेक्षाएं
निम्नलिखित हैं :—

क्षयन दूरी— 63° से ० से 71° से ० तक।

ऐरोमेटिक तत्व (अधिकतम) -- 1 प्रतिशत।

अवाधिकाल तत्व (अधिकतम) -- 0. 001 ग्राम/100 मिलि।

मनुसूची 9 क

(नियम 3 और 4 विषेष)

तिल्ली की खली (पेरी हुई) श्री वालिटी के शेरी नाम और परिमाणाएं

श्रेणी नाम	भार के	एरण्डी की	साधारण लक्षण					
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
मण्डी	9.0	29.0	8.0	9.0	8.0	1.0	कुछ नहीं	(1) श्रेणी और उचित श्रेणी की खली तिल्ली के बीज (म्यूजो-टिया एवं सिनिका कास) का उत्पाद होगी जो गति वालित मण्डी द्वारा ठोस और स्वच्छ तिल्ली के बीज से तेल निष्कर्षण के बावजूद प्राप्त होगी।
उचित	9.0	28.0	10.0	12.0	8.0	2.0	कुछ नहीं	(2) धानी खाली पण्डु वालित धानी या चम्की द्वारा स्वच्छ और ठोस तिल्ली के गने (म्यूजो-टिया एवं सिनिका कास) से तेल निष्कर्षण के बावजूद प्राप्त उत्पाद होगी।
धानी खली	10.0	27.0	13.0	9.0	8.0	1.0	कुछ नहीं	(3) पदार्थ वड़ बनावट का होगा। (4) यह हानिकारक गवयवें और एरण्डी की खली या खूसी से मुक्त होगी। (5) यह खट्टबास, अपमिश्च, कीटों या फूल बाधा और किण्वत, सङ्ग या अन्य प्राप्ति जनक दुर्गम्भ से मुक्त होगी। (6) यह धूल और बालु पदार्थ से मुक्त होगी।

टिप्पणी:—स्तरम् 3 से 7 तक में विनिर्दिष्ट मान नभी हीनता के आधार पर संगणित किया गया है।

मनुसूची 9 छ

(नियम 3 और 4 विषेष)

तिल्ली की खली (विलायक विस्तारित) की वालिटी के शेरी नाम और परिमाणाएं

श्रेणी नाम	भार के	साधारण लक्षण				
1	2	3	4	5	6	7
मण्डी	9.0	35.0	1.0	1.5	12.0	विलायक निष्कर्षित तिल्ली की खली (सील) धानी या एक्स-पेलर से पेरी गई तिल्ली की खरों से विलायक की सहायता से तेल निष्कर्षण से प्राप्ति की जाएगी धानी या एक्सपेलर से पेरी गई तिल्ली की खली साफ ठोस तिल्ली के बीज (म्यूजो-

1	2	3	4	5	6	7
उचित	9.0	29.0	1.0	2.5	15.0	टिपा एवं सीनिका कास) पेरने से प्राप्त की गई होगी। प्रोटीन को विहृतीकरण से बचाने थे। विलायक तत्व हटाने के लिए मील को नियंत्रित भौंग विनियमित धशांगों में उत्पा और भाल शोधन के अधीन रखा जाएगा। पदार्थ पपड़ी या चूर्ण से स्पू में होगा और हानिकारक अवयवों या प्रट्टी की खली या भूसी या दोनों या मढ़ा की खली से मुक्त होगा। यह खटवाम, अपमिश्चण, काट या फर्फू बाधा और सड़न दुर्गन्ध से मुक्त होगी।

टिप्पण:—(1) स्तम्भ 3 से 7 तक से विनियमित मात्र तभी हीनता के प्राधार पर संगणित किया गया है।

(2) विनियम प्रारूप के प्राप्त दर भारतीय मानक संस्था के पास है और भभी तक उन्हें अन्तिम रूप नहीं दिया गया है।

(3) विष्कर्षण के लिए विलायक प्रारूप:—विष्कर्षण के प्रयोजन के लिए केवल हैक्सेन-फूड श्रेणी का विलायक ही काम में लाया जाएगा। विलायक की अपेक्षाएं निम्नलिखित होंगी:—

क्षयन दूरी— 63° से० से 71° से० तक।

ऐरोमेटिक तत्व (प्रधिकरण) — 1 प्रतिशत।

अवाल्पशील स्वर्त (प्रधिकरण) — 0.001 ग्राम/100 मि०ली।

(संख्या 13-8/76-ए०एम०)

प्रकाश चन्द्र, उप-सचिव

MINISTRY OF RURAL RECONSTRUCTION

S.O. 3424.—Whereas the draft of Vegetable Oil Cakes (Expressed or Solvent Extracted) Grading and Marking Rules, 1978, was published, as required by Section 3 of the Agricultural Produce (Grading and Marking) Act, 1937, (1 of 1937), on pages 228 to 250 of the Gazette of India, Part II, Section 3, Sub-section (ii), dated the 28th January, 1978, under the notification of the Government of India in the Ministry of Agriculture and Irrigation (Department of Rural Development), No. S.O. 252 dated the 9th January, 1978, inviting objections and suggestions from all persons likely to be affected thereby before the expiry of the period of forty five days from the date of publication of the said notification in the Official Gazette;

And whereas the copies of the said Gazette were made available to the public on the 28th January, 1978;

And whereas no objection or suggestion have been received from the public in respect of the said draft by the Central Government;

Now, therefore, in exercise of the powers conferred by Section 3 of the said Act, the Central Government, in supersession of the Oil Cakes Grading and Marking Rules, 1962, hereby makes the following rules, namely :—

RULES

1. Short title and application.—These rules may be called Vegetable Oil Cakes (Expressed or Solvent Extracted) Grading and Marking Rules, 1979.

2. Definition.—In these rules,

(a) "Agricultural Marketing Adviser" means the Agricultural Marketing Adviser to the Government of India;

(b) "Schedule" means a Schedule appended to these rules.

3. Grade Designations.—The grade designations to indicate the quality of oil cakes (expressed or solvent extracted) shall be as set out in column (1) of Schedule II A to IX B.

4. Definition of Quality.—The quality indicated by the grade designation shall be as set out against each grade designation in Schedule II A to IX B.

5. Grade Designation Marks.—The grade designation mark shall consist of a label bearing the design set out in Schedule I and specifying the grade designation, the name of the cake and whether it is expressed or solvent extracted.

6. Method of Marking.—The grade designation mark shall be securely affixed or stenciled on each container in a manner approved by the Agricultural Marketing Adviser and shall also indicate the number of the Certificate of Authorisation issued to the packer by the Agricultural Marketing Adviser.

(2) In addition, on every container the following particulars shall clearly and indelibly be marked :—

- (a) Lot number
- (b) Name of packer,
- (c) Date of Packing,
- (d) Place of packing.

(3) The authorised packer may, after obtaining the prior approval of the Agricultural Marketing Adviser, mark his private trade mark on the container in a manner approved by the said officer, provided that the private trade mark does not represent quality or grade of the oil cake different from that indicated by the grade designation mark affixed to the container in accordance with these rules.

7. Method of packing. (i) The oil cake shall be packed only in container made of jute or other material approved by the Agricultural Marketing Adviser from time to time.

(ii) Each container shall be securely closed and sealed and shall contain oil cake of one trade description and of one grade designation only.

8. Special conditions of Certificate of Authorisation.—In addition to the conditions specified in Rule 4 of the General Grading and Marking Rules, 1937, the following conditions shall also be the conditions of every Certificate of Authorisation issued for the purpose of these rules, namely :—

(i) Each authorised packer shall take all precautions to avoid admixture of oil cakes with castor seeds and castor cake.

(ii) if an authorised packer handles more than one type of oil cake in the same premises, adequate precautions shall be taken by him to avoid mixing of different oil cakes. The premises should be clean and hygienic and should be periodically fumigated.

(iii) the authorised packer shall make such arrangements for testing oil cakes as may be specified from time to time by the Agricultural Marketing Adviser and shall also maintain proper records of analysis of the samples.

(iv) all instructions regarding methods of sampling and analysis, packing and marking and maintenance of records, which may be issued from time to time by the Agricultural Marketing Adviser, shall be observed.

(v) a sample of oil cake drawn in the manner prescribed by the Agricultural Marketing Adviser from each lot, shall be forwarded to such control laboratory as may be notified from time to time.

SCHEDULE-I

(See rule 5)

Grade Designation Mark

SCHEDULE II-A

(See rules 3 and 4)

Grade designations and definitions of quality of groundnut oil cake—expressed.

Grade Designations	Moisture per cent by weight (Maximum)	Crude protein nitrogen $\times 6.25$ per cent by weight (Minimum)	Crude fat or ether extract per cent by weight	Crude fibre, per cent by weight (Maximum)	Total ash per cent by weight (Maximum)	Acid insoluble ash per cent by weight (Maximum)	Castor husk	General characteristics
1	2	3	4	5	6	7	8	9
Good	8.0	50.0	8.0	9.0	7.0	1.5	Nil	1. Oil cake of good and fair grade shall be the products of decorticated groundnut alone obtained after the extraction of oil by power driven machinery.
Fair	8.0	50.0	5.0	9.0	7.0	2.0	Nil	2. Ghani oil cake shall be the product of decorticated groundnut alone obtained after the extraction of oil by animal driven ghani or chakki.
Ghani Cake	10.0	45.0	10.0	9.0	7.0	2.5	Nil	3. The material shall be of firm texture.
								4. It shall be free from harmful constituents and castor cake or husk.
								5. It shall be free from rancidity, adulterant, insect or fungus infestation and from fermented, musty or other objectionable odour.
								6. It shall be free from dirt and extraneous matter.

Note :—The values specified in columns 3 to 7 are calculated on moisture free basis. Adopted from the Indian Standards Specification for decorticated groundnut oil cake as livestock feed (IS : 1713-1960).

SCHEDULE II-B

(See Rules 3 and 4)

Grade designations and definitions of quality of groundnut oil cake—solvent extracted

Grade designation	Moisture per cent	Crude protein by weight (nitrogen × 6.25)	Crude fat or ether	Crude fibre	Crude soluble ash, per cent by weight	Castor ash, per cent by weight	General characteristics
	(Maximum)	(Maximum)	(Maximum)	(Maximum)	(Maximum)	(Maximum)	
	(Minimum)	by weight	by weight	(Maximum)	(Maximum)	(Maximum)	
1	2	3	4	5	6	7	8
Good	10.0	51.0	1.0	10.0	2.5	Nil	1. The solvent extracted groundnut oil cake (meal) shall be obtained by extraction of oil by means of a solvent from the expeller or ghani pressed groundnut oil cake. The meal may also be obtained directly from groundnut seeds after a preliminary treatment. The expeller or ghani pressed groundnut oil cake used for extraction shall have been obtained by pressing clean and sound groundnut (<i>Arachis hypogaea</i> L.). The meal shall have been subjected to heat and steam treatment under controlled and regulated conditions so as to prevent denaturation of the protein and removal of traces of solvent. The material shall be in the form of either flakes or powder and shall be free from harmful constituents and castor cake or husk or both or mahua cake. It shall be free from rancidity, adulterants, insects or fungus infestation and from musty odour.
Fair	10.0	47.0	1.5	12.0	2.5	Nil	

- Notes:—1. The values specified in columns 3 to 6 are calculated on moisture free basis. Adopted from the Indian Standards Specification for solvent extracted oil cake (meal) as Livestock feed (IS : 3441-1966).
2. Solvent for extraction :—Only Good grade solvent shall be used for the purpose of extraction. The requirements of the solvent shall be as follows:—

Boiling range 63°C to 71°C, Aromatic content maximum 1 per cent, Non-volatile content, maximum 0.001 g./100 ml.

SCHEDULE III-A

(See rules 3 and 4)

Grade designations and definitions of quality of decorticated cotton seed oil cake—expressed.

Grade designation	Moisture per cent	Crude protein by weight (nitrogen × 6.25)	Crude fat or ether	Crude fibre	Total ash per cent by weight	Crude soluble ash per weight	Castor weight	General characteristics
	(Maximum)	(Maximum)	(Maximum)	(Maximum)	(Maximum)	(Maximum)	(Maximum)	
	(Minimum)	by weight	by weight	(Maximum)	(Maximum)	(Maximum)	(Maximum)	
1	2	3	4	5	6	7	8	9
Good	8.0	40.0	8.0	10.0	7.0	1.5	Nil	1. Shall be the product of clean cotton seed only, composed principally of the kernel with such un-avoidable portions of the hull and fibre as may be left in the course of manufacture of oil.
Fair	8.0	41.0	5.0	12.0	8.0	2.0	Nil	
No. 2	8.0	37.0	5.0	14.0	9.0	2.5	Nil	

2. The material shall be firm but not flinty in texture.

3. It shall be free from harmful constituents and castor cake or husk.
4. It shall be free from rancidity, adulterants, insects or fungus infestation and from fermented, musty or other objectionable odour.
5. It shall be free from dirt and extraneous matter.

NOTE :—The values specified in columns 3 to 7 are calculated on moisture free basis. Adopted from the Indian Standards Specification for cotton seed oil cake as Livestock feed (IS : 1712-1960)

SCHEDULE III-B

(See rules 3 and 4)

Grade designations and definitions of quality of undecorticated cotton-seed oil-cake expressed

Grade designation	Moisture per cent by weight (Maximum)	Crude protein (Nitrogen × 6.25) per cent by weight (Minimum)	Crude fat or ether extract per cent by weight	Crude fibre per cent by weight	Total ash per cent by weight (Maximum)	Acid soluble ash per cent by weight (Maximum)	Castor husk weight (Maximum)	General characteristics
1	2	3	4	5	6	8	7	9
Good	10.0	24.0	7.0	24.0	9.0	2.5	Nil	1. Shall be the product resulting from the whole clean and wherever necessary, delinted (especially in the case of fuzzy seeds) cotton seed only after the expression of oil.
Fair	10.0	24.0	7.0	28.0	9.0	2.5	Nil	2. The material shall be firm but not flinty in texture. 3. It shall be free from harmful constituents and castor cakes or husk. 4. It shall be free from rancidity, adulterants, insects or fungus infestation and from fermented, musty or other objectionable odour. 5. Shall be free from dirt and extraneous matter.

NOTE :—The values specified in columns 3 to 7 are calculated on moisture free basis. Adopted from Indian Standards Specification for cotton seed oil cake as livestock feed (IS : 1712-1960).

SCHEDULE III-C

(See rules 3 and 4)

Grade designations and definitions of quality of decorticated cotton seed oil cake (meal)—solvent extracted

Grade designation	Moisture per cent by weight (Maximum)	Crude protein (Nitrogen × 6.25) per cent by weight (Minimum)	Crude fat or ether extract per cent by weight	Crude fibre per cent by weight	Acid insoluble ash per cent by weight (Maximum)	General characteristics
1	2	3	4	5	6	7
Good	8.0	42.0	1.5	12.0	2.0	The solvent extracted cotton seed oil cake (meal) shall be obtained by extraction of oil by means of a solvent from decorticated cotton seed oil cake. The meal may
Fair	8.0	40.0	2.0	24.0	2.5	

also be obtained directly from decorticated cotton seed after a certain preliminary treatment. Cotton seed oil cake used for extraction shall have been obtained by pressing clean and sound decorticated cotton seed. The meal shall have been subjected to heat and steam treatment under controlled and regulated conditions so as to remove traces of solvent. The material shall be in the form of either flakes or powder and shall be free from harmful constituents and castor cake or husk or both or mahua-cake. It shall be free from musty odour.

NOTE :—1. The values specified in columns 3 to 6 are calculated on moisture free basis. Adopted from Emergency Indian Standards Specifications for solvent extracted cotton seed oil cake (Meal) as livestock feed (IS : 3592-1966).

2. Solvent from Extraction : only hexane-food grade solvent shall be used for the purpose of extraction. The requirement of the solvent shall be as follows:—

Boiling range 63°C to 71°C

Aromatic content Max. 1 per cent.

Non volatile content Max. 0.001 gm/100ml.

SCHEDULE IV-A

(See rules 3 and 4)

Grade designations and definitions of quality of Linseed Oil Cake (Meal) expressed

Grade designation	Moisture per cent by weight (Maximum)	Crude protein (nitrogen × 6.25) per cent by weight (Minimum)	Crude fat or ether extract per cent by weight (Minimum)	Crude fibre per cent by weight (Maximum)	Total ash per cent by weight (Maximum)	Acid insoluble ash per cent by weight (maximum)	Castor husk	General characteristics
1	2	3	4	5	6	7	8	9
Good	10.0	29.0	8.0	10.0	8.0	1.5	Nil	1. Oil cake of good and fair grades shall be the product obtained after the extraction of oil from linseed by power-driven machinery.
Fair	10.0	29.0	5.0	10.0	8.0	1.5	Nil	2. Ghani oil cake shall be the product obtained after the extraction of oil from the linseed by animal driven ghani.
Ghani cake	10.0	26.0	15.0	6.0	9.0	2.5	Nil	3. The material shall be free from harmful constituents and castor cake for husk.
								4. It shall be free from rancidity, adulterants, insect or fungus infestation and from fermented, musty or other objectionable odour.
								5. It shall be free from dirt and extraneous matter.

NOTE:—The values specified in columns 3 to 7 are calculated on moisture free basis. Adopted from the Indian Standards Specifications from linseed oil cake as livestock feed (IS : 1935-1961).

SCHEDULE IV B

(See rules 3 and 4)

Grade designations and definitions of quality of linseed oil cake solvent extracted

Grade designation	Moisture per cent by weight (maximum)	Crude protein (nitrogen × 6.25) per cent by weight (minimum)	Crude fat or ether extract per cent by weight (maximum)	Crude fibre per cent by weight (maximum)	Acid insoluble ash per cent by weight (maximum)	General characteristics
1	2	3	4	5	6	7
Good	10.0	33.0	1.0	9.0	2.5	The solvent extracted linseed oil cake (Meal) shall be obtained by extraction of oil, by means of solvent from the expeller or ghani pressed linseed oil cake. The meal may also be obtained directly from linseeds after a certain preliminary treatment. The extraction shall have been obtained by pressing clean and sound linseed (<i>Linum-ustatissimum</i> L). The meal shall have been subjected to heat and steam treatment under controlled and regulated conditions so as to prevent denaturation of the protein and to remove traces of solvent. The material shall be in the form of either flakes or powder and shall be free from harmful constituents and castor cakes or husk or both or mahua cake. It shall be free from rancidity, adulterants, insects or fungus infestation and from musty odour.
Fair	10.0	29.0	1.5	11.0	2.5	

NOTE :—1. The values specified in columns 3 to 6 are calculated on moisture free basis. Adopted from the Indian Standards Specification for solvent extracted linseed oil cake (meal) as livestock feed (IS : 3440-1966).

2. Solvent for extraction : Only hexane food grade solvent shall be used for the purpose of extraction. The requirements of the solvent shall be as follows:—

Boiling range 63° C to 71°C

Aromatic content max. 1 per cent.

Non-volatile content, max. 0.001 grm/100ml.

SCHEDULE V A

(See rules 3 and 4)

Grade designations and definitions of quality of Mustard Oil Cake-expressed

Grade Designation	Moisture per cent by weight (maximum)	Crude protein (nitrogen × 6.25) per cent by weight (minimum)	Crude fat or ether extract per cent by weight (maximum)	Crude fibre per cent by weight (maximum)	Total ash per weight (maximum)	Acid insoluble ash per cent by weight (maximum)	Castor husk (maximum)	General characteristics
1	2	3	4	5	6	7	8	9
Good	10.0	35.0	8.0	9.0	8.0	1.5	Nil	1. Oil cake of good and fair grades shall be the product obtained after the extraction of oil from mustard seed* by power-driven machinery.
Fair	10.0	37.0	5.0	10.0	9.0	2.0	Nil	
Ghani cake	12.0	33.0	12.0	7.0	8.0	2.5	Nil	

1	2	3	4	5	6	7	8	9
								<p>2. Ghani oil cake shall be the product obtained after the extraction of oil from mustard seed* by animal driven ghani or kolhu.</p> <p>3. The material shall be free from harmful constituents including argemone and castor cake or husk.</p> <p>4. It shall be free from rancidity, adulterants, insects or fungus infestation and from fermented musty or other objectionable odour.</p> <p>5. It shall be free from dirt and extraneous matter.</p>

NOTE :—*The term mustard seed includes rai (*Brassica juncea* coss), Sarson (*Brassica campestris* Var Sarson), toria (*B. campestris* Var Toria) and taramira (*Eruca Sativa*). The values specified in columns 3 to 7 are calculated on moisture free basis. Adopted from the Indian Standards Specifications for mustard and range rape oil cake as livestock feed (IS : 1932-1961).

SCHEDULE V B

(See rules 3 and 4)

Grade designations and definitions of quality of mustard oil-cake-solvent extracted

Grade designation	Moisture per cent by weight (maximum)	Crude protein (nitrogen × 6.25) per cent by weight (maximum)	Crude fat or ether extract per cent by weight (maximum)	Crude fibre per cent by weight (maximum)	Acid insoluble ash per cent by weight (maximum)	General characteristics
1	2	3	4	5	6	7
Good	10.0	45.0	1.0	11.0	1.8	The solvent extracted mustard oil cake (Meal) shall be obtained by extraction of oil by means of a solvent from the hydraulic expeller or rotatory pressed oil cake. The meal may also be obtained directly from sound mustard seed (<i>rai-Brassica-Juncea</i> , <i>toria Brassica compestris</i>) and taramira (<i>Eruca sativa</i>) after a preliminary treatment. The meal shall have been subjected to heat and steam treatment under controlled and regulated conditions so as to prevent denaturation of the protein and to remove traces of solvent. The material shall be in the form either flakes or powder and shall be free from harmful constituents and castor cake or husk or both or mahua cake or argemone cake. It shall be free from rancidity, adulterants, insects or fungus infestation and from musty odour.
Fair	10.0	43.0	1.5	12.0	2.3	

NOTE:—1. The values specified in columns 3 to 6 are calculated on moisture free basis. Not adopted from Indian Standards Institution Specifications.

2. Solvent for extraction : Only hexane food grade solvent shall be used for the purpose of extraction. The requirement of the solvent shall be as follows :—

Boiling rang 63 °C to 71 °C,

Aromatic content max. 1 per cent.

Non-volatile content "maximum" 0.001 gm/100ml.

SCHEDULE VU A

(See rules 3 and 4)

Grade designations and definitions of quality of sesamum (til) oil cake-expressed

Grade designation	Moisture per cent by weight (maximum) x 6.25)	Crude protein per cent by weight (minimum)	Crude fat or ether extract per cent by weight	Crude fibre per cent by weight (maximum)	Total ash per weight (maximum)	Acid insoluble ash per cent by weight (maximum)	Castor husk weight (maximum)	General characteristics
1	2	3	4	5	6	7	8	9
Good	10.0	37.0	8.0	7.0	13.0	1.5	Nil	1. Oil cakes of good and fair grades, shall be the products obtained after the extraction of oil from sesamum (til) seed by power driven machinery.
Fair	10.0	37.0	5.0	7.0	13.0	2.0	Nil	2. Ghani cake shall be the product obtained after the extraction of oil from sesamum (til) seeds by animal driven ghani.
Ghani cake	10.0	36.0	14.0	7.0	13.0	2.0	Nil	3. The material shall be free from harmful constituents and castor cake or husk.
								4. It shall be free from rancidity, adulterants, insects or fungus infestation and from fermented musty or other objectionable odour.
								5. It shall be free from dirt of extraneous matter.

NOTE :— The values specified in columns 3 to 7 are calculated on moisture free basis. Adopted from the Indian Standards Specifications for sesamum (til) oil cake as Livestock feed (IS: 103 1934—1961).

SCHEDULE VU B

(See rules 3 and 4)

Grade designations and definitions of quality of sesamum (til) oil cake-solvent extracted

Grade designation	Moisture per cent by weight (maximum) x 6.25) per cent by weight (minimum)	Crude protein (nitrogen x 6.25) per cent by weight	Crude fat or ether extract per cent by weight	Crude fibre per cent by weight (maximum)	Acid insoluble ash per cent by weight (maximum)	General characteristics
1	2	3	4	5	6	7
Good	10.0	44.0	1.0	8.5	1.8	The solvent extracted sesamum (til) oil cake shall be obtained by extraction of oil by means of a solvent from the expeller or ghani pressed sesamum (til) oil cake. The oil cake may also be obtained directly from sesamum (til) after a certain preliminary treatment. The expeller or ghani pressed sesamum (til) seeds, oil cake used for extraction shall have been obtained by pressing clean and sound sesamum (til) seed. The oil cake shall have been subjected to heat and steam treatment under controlled and regulated conditions so as to prevent denaturation of protein and to remove traces of solvent. The material shall be in the
Fair	10.0	44.0	1.5	8.5	1.8	

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form of either flakes or powder and shall be free from harmful constituents and castor cake or husk or both or mahua cake. It shall be free from rancidity, adulterants, insect or fungus infestation and from musty odour.

NOTE : 1 The values specified in columns 3 to 6 are calculated on moisture free basis. Not adopted from the Indian Standards Specifications as the same are not yet finalised.

2. Solvent extraction : Only hexane food grade solvent shall be used for the purpose of extraction. The requirement of the solvent shall be as follows :—

Boiling range 63° C to 71° C.

Aromatic content maximum 1 per cent.

Non-volatile content maximum 0.001 gms/100 ml.

SCHEDULE VII A

(See rules 3 and 4)

Grade designations and definitions of quality of coconut oil cake-expressed

Grade designation	Moisture per cent by weight (maximum) x 6.25	Crude protein (nitrogen x 6.25) per cent by weight (minimum)	Crude fat or ether extract per cent by weight (maximum)	Crude fibre per cent by weight (minimum)	Total ash per cent by weight (maximum)	Acid insoluble ash per cent by weight (maximum)	Castor husk	General characteristics
1	2	3	4	5	6	7	8	9
Good	10.0	21.0	8.0	12.0	8.0	1.5	Nil	
Ghani	12.0	18.0	13.0	12.0	8.5	2.0	Nil	

1. Coconut oil cake of grade good shall be the product obtained after the extraction of oil from copra (dried coconut kernels) by power driven machinery.
2. Ghani grade oil cake shall be the product obtained after the extraction of oil from copra (dried coconut kernels) by the animal driven ghani or chakki.
3. The material shall be free from harmful constituents and castor cake or husk.
4. It shall be free from rancidity, adulterants insects or fungus infestation musty and other objectionable odour.
5. It shall be free from dirt and extraneous matter.

NOTE :— The values specified in columns 3 to 7 are calculated on moisture free basis. Adopted from the Indian Standards Specification for coconut oilcake as Livestock feed (IS: 2154—1962).

SCHEDULE VII B

(See rules 3 and 4)

Grade designations and definitions of quality of coconut oil cake (meal) solvent extracted

Grade designation	Moisture per cent by weight (maximum) x 6.25 per cent by weight (minimum)	Crude protein (Nitrogen x 6.25) per cent by weight (maximum)	Crude fat or ether extract per cent by weight (maximum)	Crude fibre per cent by weight (maximum)	Acid insoluble ash per cent by weight (maximum)	General characteristics
1	2	3	4	5	6	7
Good	10.0	23.0	1.0	14.0	1.5	The solvent extracted coconut oil cake (meal) shall be obtained by extraction of oil by means of a solvent from the expeller or
Fair	10.0	21.0	1.5	15.0	2.0	

1	2	3	4	5	6	7
						ghani pressed coconut oil cake. The expeller or ghani pressed coconut oil cake used for extraction shall have been obtained by pressing clean and sound coconut. The meal shall have been subjected to heat and steam treatment under controlled and regulated conditions so as to remove traces of solvent. The material shall be in the form of either flakes or powder. It shall be free from harmful constituents and castor cake or husk or both and mahua cake. It shall be free from rancidity, adulterants, insects or fungus infestation and from musty odour.

Notes :— 1. The values specified in columns 3 to 6 are calculated on moisture free basis. Adopted from Emergency Indian Standards Specifications for a solvent extracted coconut oil cake (meal) as livestock feed (IS: 3591-E-1966).

2. Solvent for extraction: Only hexane food grade solvent shall be used for the purpose of extraction. The requirement of the solvent shall be as follows :—

Boiling range 63°C to 71°C.

Aromatic content max; 1 per cent,

Non-volatile content max. 0.001 gms/100 ml.

SCHEDULE VIII A

(See rules 3 and 4)

Grade designations and definitions of quality of safflower oil cake-expressed

Trade Designation	Moisture per cent by weight (Maxi- mum)	Crude protein (nitrogen x 6.25) per cent by weight (mini- mum)	Crude fat or ether extract (nitrogen x 6.25) per cent by weight (mini- mum)	Crude fibre per cent by weight (maxi- mum)	Total ash per cent by weight (maxi- mum)	Acid insoluble ash per cent by weight (maxi- mum)	Castor husk.	General characteristics.
1	2	3	4	5	6	7	8	9
Good	8.0	41.0	8.0	13.0	8.0	1.0	Nil	1. Oil cake of good and fair grades shall be the product of safflower seeds (<i>Carthamus tinctorius</i> L) obtained after the extraction of oil from sound and clean seeds by power driven machinery.
Fair	8.0	39.0	10.0	15.0	8.0	2.0	Nil	2. Ghani oil cake shall be product obtained after the expression of oil from clean and sound Safflower seeds. (<i>Carthamus tinctorius</i> L) by animal driven ghani or chakki.
Ghani cake	10.0	38.0	13.0	12.0	8.0	1.0	Nil	3. The material shall be of firm texture. 4. It shall be free from harmful constituents and castor cake or husk. 5. It shall be free from rancidity adulterants and insects or fungus infestation and from fermented musty or other objectionable odour. 6. It shall be free from dirt and extraneous matter.

Note :— The values specified in columns 3 to 7 are calculated on moisture free basis.

SCHEDULE VIII B

(See rules 3 and 4)

Grade designations and definitions of quality of safflower oil cake-solvent extracted.

Grade designation	Moisture	Crude	Crude fat	Acid in-	Crude	General characteristics
	per cent	protein	or ether	soluble ash	fibre per	
	by weight	(nitrogen x 6.25)	extract	per cent	cent by	
	per cent by weight					
	(minimum)	(maximum)	(maximum)	(maximum)	(maximum)	
1	2	3	4	5	6	7
Good		10.0	50.0	1.0	1.5	15.0
Fair		10.0	47.0	1.0	2.5	18.0

The solvent extracted safflower oil cake (meal) shall be obtained by extraction of oil by means of a solvent from the ghani or expeller pressed safflower oil cake. The ghani or expeller pressed safflower oil cake shall have been obtained by pressing clean and sound safflower seeds (*Carthamus tinctorius* L.). The extracted oil cake (meal) shall have been subjected to heat and steam treatment under controlled and regulated conditions so as to prevent denaturation of the protein and to remove traces of solvent. The material shall be in the form of either flakes or powder and shall be free from harmful constituents or castor cake or husk or both or mahua cake. It will be free from rancidity, adulterants, insect or fungus infestation and from musty odour.

Notes :— 1. The values specified under columns 3 to 6 are on moisture free basis.

2. The specifications are at draft stage with the Indian Standards Institution and not yet finalised.

3. Solvent for extraction: Only hexane food grade solvent shall be used for the purpose of extraction. The requirements of the solvent shall be as follows:—

Boiling range 63° C to 71° C.

Aromatic content max. 1 per cent.

Non-volatile content max. 0.001 gms/100ml.

SCHEDULE IX A

(See rules 3 and 4)

Grade designations and definitions of quality of niger seed oil cake-expressed.

Grade designation	Moisture	Crude	Crude fat	Crude	Total ash	Acid so-	Castor	General characteristics.
	per cent	protein	or ether	fibre	per cent	soluble ash	husk	
	by weight	(nitrogen x 6.25)	extract	per cent	by weight	per cent		
	per cent	per cent	per cent	by weight	(maxi-	by weight		
	by weight	by weight	by weight	maximum)	imum)	per cent		
	(mini-	(mini-	(mini-					
	mum)	mum)	mum)					
1	2	3	4	5	6	7	8	9
Good	9.0	29.0	8.0	9.0	8.0	1.0	Nil	1. Oil cake of good and fair grades shall be the product of niger seeds (<i>Guizotia abyssinica</i> Cass.) obtained after the extraction of oil from sound and clean nigerseeds by power driven machinery.
Fair	9.0	23.0	10.0	12.0	8.0	2.0	Nil	
Ghani cake	10.0	27.0	13.0	9.0	8.0	1.0	Nil	

1 2 3 4 5 6 7 8 9

2. Ghani oil cake shall be produced obtained after the extraction of oil from clean and sound niger seeds (*Guizotia abyssinica* cass) by animal driven ghani or chakki.
3. The material shall be in firm texture.
4. It shall be free from harmful constituents and castor cake or husk.
5. It shall be free from rancidity adulterants insects or fungus infestations and from fermented, musty or other objectionable odour.
6. It shall be free from dirt and extraneous matter.

Note : -- The values specified in columns 3 to 7 are calculated on moisture free basis.

SCHEDULE IX B

(See rules 3 and 4)

Grade designations and definitions of quality of niger seed oil cake-solvent extracted.

Grade designation	Moisture per cent by weight	Crude protein (nitrogen (Maximum) x 6.25)	Crude fat or ether extract per cent by weight by weight (maximum)	Acid insol- uble ash per cent by weight (maximum)	Crude fibre per cent by weight (maximum)	General characteristics
	1	2	3	4	5	6
Good	9.0	35.0	1.0	1.5	12.0	The solvent extracted niger oil cake (meal) shall be obtained by extraction of oil by means of a solvent from the ghani or expeller pressed niger seed oil cake shall have been obtained by pressing clean, sound niger seed (<i>Guizotia abyssinica</i> <i>cass</i>). The meal shall have been sub- jected to heat and steam treatment under controlled and regulated conditions so as to prevent denaturation of the protein and to remove traces of solvent. The material shall be free from harmful con- stituents of castor cake or husk or both or mahua cake. It shall be free from ranci- ficidity, adulterants, insects or fungus in- festation and from musty odour.
Fair	9.0	29.0	1.0	2.5	15.0	

Notes :— 1. The values specified in columns 3 to 6 are on moisture free basis.

2. The specifications are at draft stage with Indian Standards Institution and not yet finalised.

3. Solvent for extraction: Only hexane food grade solvent shall be used for the purpose of extraction. The requirements of the solvent shall be as follows :—

Boiling range 63° C. to 71° Aromatic content max: 1 per cent,

Non-volatile content max: 0.001 gms/100ml.

[No. F.13-8/76-AM]

PRAKASH CHANDER, Under Secy.

नोटहन और परिवहन मंत्रालय

(परिवहन पक्ष)

नई दिल्ली, 17 सितम्बर, 1979

(मानवार पोत)

कानून 3425—ग्रामार पोत अधिनियम, 1958 (1958 का 14) की शारा 11 में उल्लंघन (३) वार्ता प्रदत्त शब्दों को प्रयोग करने पर केन्द्रीय गवर्नर नियम देती है कि भारत गवर्नर के तत्कालीन परिवहन और मार्ग मंत्रालय (परिवहन विभाग) की अधिसूचना में कानून 3132 दिनांक 17 दिसंबर, 1960 में निर्माणित गंगाधन दिया जाए, अर्थात्—

उक्त अधिसूचना की अनुसूची में, सब 'तूर्तिकारित पन्न' के सामने कालम दा में दी गई प्रविष्टि के स्थान पर प्रविष्टि 'सर्वेक्षक-प्रभारी का कार्यालय, जन पर्यटन विभाग, तूर्तिकोरित' रखी जाए।

[फॉर्म ३-एम०एम०एम० (२०) ७५-एम००]

सूचना भारत, प्रबन्ध गवर्नर

MINISTRY OF SHIPPING AND TRANSPORT

(Transport Wing)

New Delhi, the 17th September, 1979

MERCHANT SHIPPING

S.O. 3425.—In exercise of the powers conferred by sub-section (3) of section 11 of the Merchant Shipping Act, 1958 (44 of 1958), the Central Government hereby directs that the following amendment shall be made in the notification of the Government of India in the Late Ministry of Transport and Communications (Department of Transport) No. S.O. 3132, dated the 17th December, 1960, namely—

In the Schedule to the said notification, for the entry in the second column against the item relating to the Port of Tuticorin, the entry 'Office of the Surveyor-in-charge, Mercantile Marine Department, Tuticorin' shall be substituted.

[F. No. 5-MRS(20)/79-MA]

K. LALL, Under Secy.

पूर्ति और पूर्जसि मंत्रालय

(पूर्जसि विभाग)

नई दिल्ली, 18 सितम्बर, 1979

अन्वेषक वक्ता

कानून 3426.—पुनर्वाग विभाग (बन्दोबस्तु इण्ड) के बन्दोबस्तु अधिकारी श्री प्रीतम सिंह को स्वेच्छा से 31 मार्च 1979 के प्रसारह से मेहरा निवार कर दिया गया है।

[स० 19012/4/78-जी०जै०प्र०/प्रणा०/एम० इच्छ०]

बी०बी० शर्मा, उप गवर्नर

MINISTRY OF SUPPLY & REHABILITATION

(Department of Rehabilitation)

New Delhi, the 18th September, 1979

SETTLEMENT WING

S.O. 3426.—Shri Pritam Singh, Settlement Officer in the Department of Rehabilitation (Settlement Wing) retired voluntarily from service with effect from the afternoon of 31-8-1979.

[No 19012(4)/76-GZ/Admn /SW]
B. B. SHARMA, Dy. Secy.

संचार मंत्रालय

(डोक तोर बोर्ड)

नई दिल्ली, 20 सितम्बर, 1979

कानून 3427.—प्र्याप्ति ग्रादेग मंत्रा 627, दिनांक 8 मार्च, 1960 द्वारा लागू किए गए भारतीय नार नियम, 1951 का नियम 434 के छठे III के बैरा (क) के अनुसार डोक-नार महानिवेशक ने पर्याप्त वैज्ञानिक देवीकाल केन्द्र में दिनांक 1-12-79 से प्रमाणित दर प्रणाली लागू हन्ते का निश्चय किया है।

[मिया 5-26/79-पी एच बी]

आर०गो० कटारिया, महानवेशक (पी०एच०बी०)

MINISTRY OF COMMUNICATIONS

(P & T Board)

New Delhi, the 20th September, 1979

S.O. 3427.—In pursuance of para (a) of section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Posts and Telegraphs, hereby specifies 1-12-1979 as the date on which the Measured Rate System will be introduced in Parli Vaijnath Telephone Exchange, Maharashtra Circle.

[No 5-26/79-PHB.]

R. C. KATARIA, Assistant Director General (PHB)

अम मंत्रालय

नई दिल्ली, 17 सितम्बर 1979

कानून 3428.—केन्द्रीय गवर्नर को यह प्रतीत होता है कि मैमर्स कृष्णा रेडीमेड हाउस, गांक फार्ट गेट त्रिपुरा-२, नामक स्थापन में सम्बद्ध नियाजक और कर्मवारियों को बहुमंज्या इम बात पर महमा हो गई है कि कर्मवारी भविष्य नियंत्रित और प्रकारी उपब्रथ प्रभिन्नियम, 1952 (1952 का 19) के उपब्रथ उक्त स्थापन को लागू किए जाने आहिए;

अत, अब, उक्त अधिनियम की शारा 1 की उपाधा (4) द्वारा प्रदत्त गवितमों का प्रयोग करते हुए केन्द्रीय गवर्नर उक्त अधिनियम के उपब्रथ उक्त स्थापन को लागू करनी है।

यह अधिसूचना 1 मार्च, 1977 को प्रवन्ह हुई मरम्मी जाएगी।

[स० एग० 35019/147/74-पी०एफ०]

MINISTRY OF LABOUR

New Delhi, the 7th September, 1979

S.O. 3428.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Krishna Ready-made Hall, Rock Fort Gate, Titchy-2, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of March, 1977.

[No. S. 35019/147/79-PE.II]

कानून 3429.—केन्द्रीय गवर्नर को यह प्रतीत होता है कि मैमर्स पी एस जी एण्ड सेस ऐस्ट्रीज, मैटानर्जी एण्ड काउण्टी डिविजन, नीलाम्बर, कोयम्बटूर-14, नामक स्थापन से मन्दद्व नियोजक और कर्मवारियों

को वहुसंचया दस बात पर महमत हो गई है कि कर्मचारी भविष्य निधि और प्रकारों उत्तराधिनियम, 1952 (1952 का 19) के उपर्युक्त उक्त स्थापन को लागू किए जाने चाहिए;

अतः अब, उक्त अधिनियम की धारा 1 की उपराना (4) द्वारा प्रदत्त शावकरों का प्रयोग करने हुए केंद्रीय सरकार उक्त अधिनियम के उपर्युक्त उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 अप्रैल, 1978 को प्रवृत्त हुई थमसी जाएगी।

[म० एम० 35019/178/79-पौर्णप्रौद्योगिकी 2 (1)]

S.O. 3429.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishments known as Messers PSG and Sons Charities, Mettallurgy and Foundry Division, Neelambur, Coimbatore-14 have agreed that the provisions of the Employees' Provident Funds and Miscellaneous provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of April, 1978.

[No. S. 35019(178)/79-PFII(ii)]

का० धा० 3430.—केंद्रीय सरकार कर्मचारी भविष्य निधि और प्रकार उपर्युक्त अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रत्येक द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, संबद्ध विधय में आवश्यक जाव करने के प्रत्यान 1 अप्रैल, 1978 में मैमर्स थीएस जी. एम्जु संन वैनिंग मेटालर्जी पार्क कार्गुर्जुरी रिप्रिजन, नीलाम्बुर, जोनम्बदुर 14, नामक स्थापन को उक्त परत्यक्त के प्रयोगों के लिए निर्दिष्ट करती है।

[म० एम० 35019(179)/79-पौर्णप्रौद्योगिकी-2 (ii)]

S.O. 3430.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the first day of April, 1978 the establishment known as Messrs PSG and Sons Charities, Mettallurgy and Foundry Division, Neelambur, Coimbatore-14 for the purposes of the said proviso.

[No. S. 35019(179)/79-PF-II(ii)]

का० धा० 3431.—केंद्रीय सरकार को यह पराल होता है कि मैमर्स दि प्रैस्टो विप्र टेनर्स, जनपथ, युनिट नं० 3, भुबनेश्वर-1, नामक स्थापन में संबद्ध नियोजक शीर्षक कर्मचारियों की वहुसंचया इस बात पर महमत हो गई है कि कर्मचारी भविष्य निधि और प्रकार उपर्युक्त अधिनियम, 1952 (1952 का 19) के उपर्युक्त उक्त स्थापन को लागू करती है।

अतः अब, इन अधिनियम की धारा 1 की उपराना (4) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केंद्रीय सरकार उक्त अधिनियम के उपर्युक्त उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 अप्रैल, 1977 को प्रवृत्त हुई थमसी जाएगी।

[म० एम० 35019/180/79-पौर्णप्रौद्योगिकी 2]

S.O. 3431.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs The Ariston Wear Tailors, Janpath, Unit No. 3, Bhubaneswar-1, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of August, 1977.

[No. S. 35019/180/79-PF. III]

का० धा० 3432.—केंद्रीय सरकार को यह पराल होता है कि मैमर्स इण्डिया ओवरसीज इंजिनियरिंग, 10-वी, डेवगपुरा स्ट्रीट, तीरुपुर-2 नामक स्थापन में संबद्ध नियोजक शीर्षक कर्मचारियों की वहुसंचया इस बात पर महमत हो गई है कि कर्मचारी भविष्य निधि और प्रकार उपर्युक्त अधिनियम, 1952 (1952 का 19) के उपर्युक्त उक्त स्थापन को लागू किए जाने चाहिए।

अतः अब, उक्त प्रविधियम की धारा 1 की उपराना (4) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केंद्रीय सरकार उक्त अधिनियम के उपर्युक्त उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 मई, 1977 को प्रवृत्त हुई थमसी जाएगी।

[म० एम० 35019/181/79-पौर्णप्रौद्योगिकी 2]

S.O. 3432.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs India Overseas Hosiery 10C, Devangapura Street, Tirupur-2, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of May, 1977.

[No. S. 35019/181/79-PF. II]

का० धा० 3433.—केंद्रीय सरकार को यह प्रसोल होता है कि मैमर्स खादी शास्त्रीय भवन, खादी और शास्त्रीय यात्रा, कनयायर भाबुन फैक्ट्री-16, नामक स्थापन में संबद्ध नियोजक शीर्षक प्रौद्योगिकी की वहुसंचया इस बात पर महमत हो गई है कि कर्मचारी भविष्य निधि और प्रकार उपर्युक्त अधिनियम, 1952 (1952 का 19) के उपर्युक्त उक्त स्थापन को लागू किए जाने चाहिए।

अतः अब, उक्त अधिनियम की धारा 1 की उपराना (4) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केंद्रीय सरकार उक्त अधिनियम के उपर्युक्त उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 जनवरी, 1979 को प्रवृत्त हुई थमसी जाएगी।

[म० एम० 35019/182/79-पौर्णप्रौद्योगिकी 2]

S.O. 3433.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Khadi Gramodyog Bhawan, Khadi and Village Industries Commission, Ernakulam Village Kunayannur Taluk, Cochin-16, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of January, 1979.

[No. S. 35019/182/79-PF. II]

का० आ० 3434—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स मिनीमैक, 7, सुन्दर राव नायडू रोड, मद्रास-6 नाम स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुमत्या इस बात पर महसूत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः, यद्य, उक्त अधिनियम का धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 जनवरी, 1979 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35019/184/79-पी०-एफ-2]

S.O. 3434.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Minimac 7, Sundar Rao Naidu Road, Madras-6, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of January, 1979.

[No. S. 35019(184)/79-PF-II]

का० आ० 3435.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स साउदर्न इण्डिया रिजिनल काउंसिल आफ इस्टीट्यूट आफ कास्ट एण्ड वर्कर्स एकाउंटेंट्स आफ इण्डिया, नम्बर 65, मानटिएथ लेन, मद्रास-8, नाम स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर महसूत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः, अब, उक्त अधिनियम की धारा 1 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 अगस्त, 1978 को प्रवृत्त हुई समझी जाएगी।

[फा० सं० एस० 35019/185/79-पी०-एफ-2(1)]

S.O. 3435.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs South India Regional Council of Institute of Cost and Works Accountants of India, No. 65, Montieh Lane, Madras-8, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of August, 1978.

[No. S. 35019(185)/79-PF-II(i)]

का० आ० 3436.—केन्द्रीय सरकार, कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, सम्बूद्ध विषय में आवश्यक जांच करने के पश्चात् 1 अगस्त, 1978 में मैसर्स साउदर्न इण्डिया रिजिनल काउंसिल आफ इस्टीट्यूट आफ कॉस्ट एण्ड वर्कर्स एकाउंटेंट्स आफ इण्डिया, नम्बर 65, मानटिएथ लेन, मद्रास-8 नामक स्थापन को उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करती है।

[फा० सं० एस० 35019/185/79-पी०-एफ-2(2)]

S.O. 3436.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the first day of August, 1978 the establishment known as Messrs South India Regional Council of Institute of Cost and Works Accountants of India, No. 65 Montieh Lane Madras-8 for the purposes of the said proviso.

[No. S. 35019(185)/79-PF-II(ii)]

का० आ० 3437.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स जयंत इण्डियल एंड माइट्रिप्लिक रिसर्च (प्राइवेट) लिमिटेड, प्लाट नं० सी-12 वाग्ले इण्डियल इस्टेट, थाने-4, जिनके अन्तर्गत प्राप्ति-पूर्ण बांगाला, 1/12, इंडाडावांगे, पुणे-4, मिन उसकी शाखा भी है, नाम स्थापन से सम्बद्ध नियोजन और कर्मचारियों की बहुसंख्या इस बात पर महसूत हो गई है कि किंवारा भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः, अब, उक्त अधिनियम का धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 31 दिसम्बर, 1975 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35018(79)/79-पी०-एफ-2(1)]

S.O. 3437.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Jayant Industrial and Scientific Research (Private) Limited, Plot No. C-12, Wagle Industrial Estate, Thane-4 including its branch at Anna Purna Bungalow, 1/12, Erandavane, Pune 4, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty first day of December, 1975.

[No. S. 35018(79)/79-PF-II(i)]

का० आ० 3438.—केन्द्रीय सरकार, कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, संबद्ध विषय में आवश्यक जांच करने के पश्चात् 31 जूनी, 79 में मैसर्स अल हज अमीर इसेन प्रोपर्टीज (प्राइवेट) लिमिटेड, 9/12, नाल बाजार स्ट्रीट, कलकत्ता-1, नामक स्थापन को उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करनी है।

[फा० सं० एस० 35017/44/79-पी०-एफ-2(2)]

S.O. 3438.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the thirty-first day of January, 1979 the establishment known as Messrs AL Haj Ami Hussain Properties (Private) Limited, 9/12, Lal Bazar Street, Calcutta-1, for the purposes of the said proviso.

[No. S. 35017(44)/79-PF-II(ii)]

का० आ० 3439.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स अल हाज अमीर हुमेन प्रोपर्टीज (प्राइवेट) लिमिटेड, 9/12, लाल बाजार स्ट्रीट, कलकत्ता-1, नाम स्थापन से गम्भीर नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकार्ण उपचार अधिनियम, 1952 (1952 का 19) के उपचार उक्त स्थापन को लागू किए जाने चाहिए।

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रवल्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपचार उक्त स्थापन को लागू करती है।

यह अधिसूचना 31 जनवरी, 1979 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35017/44/79-पी० एफ० 2(1)]

S.O. 3439.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs AL Haj Amir Hassan Properties (Private) Limited, 9/12, Lal Bazar Street, Calcutta-1, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty-first day of January, 1979.

[No. S. 35017/44/79-PF. II(1)]

का० आ० 3440.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स मन्दिरतला कंज्यूमर्स कोऑपरेटिव न्टोर्ड लिमिटेड 17/1 कैलाण श्रीप रोड, कलकत्ता-8 जिसके अन्तर्गत (1) शास्त्रा स्टोर 42, मोतीलाल गुप्ता रोड, कलकत्ता-8 और (2) राणन, दुकान 42, मोतीलाल गुप्ता रोड, कलकत्ता-8, स्थित उरकी शाखा भी है, नाम स्थापन से गम्भीर नियोजक और कर्मचारियों की बहु संख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकार्ण उपचार अधिनियम, 1952 (1952 का 19) के उपचार उक्त स्थापन को लागू किए जाने चाहिए,

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रवल्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपचार उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 जुलाई, 1978 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35017/43/79-पी० एफ० 2]

S.O. 3440.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Mandiratala Consumer's Co-operative Stores Limited, 17/1, Kailash Ghosh Road, Calcutta-8 including its branches at (i) Branch Stores 42, Motilal Gupta Road, Calcutta-8 and (ii) Ration Shop 42, Motilal Gupta Road, Calcutta-8, have agreed that the provision of the Employees' Provident Funds and Miscellaneous provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of July, 1978.

[No. S. 35017/43/79-PF. II]

का० आ० 3441.—केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 87 द्वारा प्रवल्त शक्तियों का प्रयोग करते हुए, और भारत सरकार के अम मंलालय की अधिसूचना संख्या का० आ० 2451, तारीख 8 अगस्त, 1978 के अनुक्रम में, दामोदर बैली कारपोरेशन, के (1) 132 के० बी० प्रिड सब-स्टेशन, कुमारधुबी

(2) 132 के० बी० प्रिड सब-स्टेशन, नई गगड, गमगढ़ और (3) दामोदर बैली कारपोरेशन सब-स्टेशन हृषको की पहली अक्टूबर 1978 से 30 सितम्बर, 1979 तक, जिसमें यह तारीख भी अम्मलित है, एक और वर्ष की अवधि के लिए उक्त अधिनियम के प्रवेषन से शूट देनी है।

2. पूर्वोक्त शूट की शर्तें निम्नलिखित हैं, अर्थात् :

(1) उक्त कारखाने का नियोजक, उग्र अवधि की बाबत जिसके द्वारा उस कारखाने पर उक्त अधिनियम प्रवल्तमान था (जिसमें इसके पश्चात् 'उक्त अवधि' कहा गया है), ऐसी विवरणिया ऐसे प्रत्येक में और ऐसी विशिष्टियां महिल देना जो कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 के अधीन उसे उक्त अवधि की बाबत देनी चाहीए,

(2) नियम द्वारा उक्त अधिनियम की धारा 45 की उपधारा (1) के अधीन नियुक्त किया गया कोई निरीक्षक या नियम का डम निमित्त प्राधिकृत कोई अन्य पदधारी—

(i) धारा 44 की उपधारा (1) के अधीन, उक्त अवधि की बाबत वीर्ग की विवरणी की विशिष्टियों को सत्यापित करने के प्रयोजनार्थ ; या

(ii) यह अभिनिष्ठित करने के प्रयोजनार्थ कि कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 द्वारा यथा अपेक्षित रजिस्टर और अभिलेख का, उक्त अवधि के लिए रखा गए थे, या नहीं ; या

(iii) यह अभिनिष्ठित करने के प्रयोजनार्थ कि कर्मचारी, नियोजक द्वारा किए गए उन कारबंदी को, जिसके प्रतिक्रियात्मक इस प्रविधि-सूचना के अधीन शूट दी जा रही है, नकद में और वस्तु रूप में पाने का लक्ष्य बना हुआ है या नहीं ; या

(iv) यह अभिनिष्ठित करने के प्रयोजनार्थ कि उस अवधि के दौरान जब उक्त कारखाने के संबंध में अधिनियम के उपचार प्रबन्ध ये, ऐसे किन्हीं उत्तरधारा का अनुसारन किया गया था या नहीं ; निम्ननिष्ठित कार्य करने के लिए साधारण होगा :—

(क) प्रधान या अव्यवहित नियोजक से अपेक्षा करना कि यह उसे ऐसी जानकारी दे जिसे उपरोक्त निरीक्षक या अन्य पदधारी प्राप्तकर समझता है ; या

(क्र) ऐसे प्रधान या अव्यवहित नियोजक के अधिभोगनशील किसी कारखाने, स्थापन कार्यालय या अन्य परिमर में किसी भी उचित गम्य पर प्रवेश करना और उसके प्रभारी से यह अपेक्षा करना कि वह अविक्षियों के तियाजन प्रीर मजदूरी के संताय से संबंधित ऐसे लेखा, अहिया और अन्य दस्तावेज, ऐसे निरीक्षक या अन्य परधारी के रामब प्रमुख करे और उनकी परीक्षा करने वे, या उन्हें ऐसी जानकारी दे जिसे वे आवश्यक प्रमाणते हैं ; या

(ग) प्रधान या अव्यवहित नियोजक की, उसके अभिलेखीय या सेवक की या ऐसे किसी अविक्षियों की जो ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिसर में पाया जाए, या ऐसे किसी अविक्षियों की जिसके बारे में उक्त निरीक्षक या अन्य पदधारी के पास यह विश्वास करने का युक्तियुक्त कारण है कि वह कर्मचारी है, परीक्षा करना ; या

(घ) ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिसर में रखे गए किसी रजिस्टर, लेखावही या अन्य दस्तावेज की सकल तैयार करना या उसमें पद्धति लेना ।

व्यावसायिक ज्ञापन

इस मामले में पूर्वप्रिव्यक्ति प्रभाव से शूट देनी आवश्यक हो गई है, क्योंकि शूट के लिए प्रार्थनापत्र पर कार्यालयी करने में समय लगा। तथापि यह प्रमाणित किया जाता है कि पूर्वप्रिव्यक्ति प्रभाव से शूट देने में किसी के हित पर प्रतिकूल प्रभाव नहीं पड़ेगा।

[सं० एस-38014/9/78-एच. आई.]

S.O. 3441.—In exercise of the powers conferred by section 87 of the Employees' State Insurance Act, 1948 (34 of 1948) and in continuation of the notification of the Government of India in the Ministry of Labour No. S. O. 2451, dated the 8th August, 1973 the Central Government hereby exempts (1) 132 K. V. Grid Sub-section Kumardhobi, (2) 132 K. V. Grid Sub-station, Naisarai, Ramgarh and (3) Damodar Valley Corporation Sub-Station Howrah belonging to the Damodar Valley Corporation from the operation of the said Act for a further period of one year with effect from the 1st October, 1978 upto and inclusive of the 30th September, 1979.

2. The above exemption is subject to the following conditions, namely :—

(1) The employer of the said factory shall submit in respect of the period during which that factory who was subject to the operation of the said Act (hereinafter referred to as the said period), such returns in such form and containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulation, 1950.

2. Any Inspector appointed by the Corporation under sub-section (1) of section 45 of the said Act, or other Official of the Corporation authorised in this behalf shall for the said period ; or

(i) verifying the particulars contained in any return submitted under sub-section (1) of section 44 for the said period ; or

(ii) ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period ; or

(iii) ascertaining whether the employees continue to be entitled to benefits provided by the employer in cash and kind being benefits in consideration of which exemption is being granted under this notification ; or

(iv) ascertaining whether any of the provisions of the Act has been complied with during the period when such provisions were in force in relation to the said factory ;

be empowered to—

(a) require the principal or immediate employer to furnish to him such information as he may consider necessary ; or

(b) enter any factory, establishment, office or other premises occupied by such principal or immediate employer at any reasonable time and require any person found in charge thereof to produce to such Inspector or other official and allow him to examine such accounts, books and other documents relating to the employment of persons and payment of wages or to furnish to him such information as he may consider necessary ; or

(c) examine the principal or immediate employer, his agent or servant, or any person found in such factory, establishment, office or other premises, or any person whom the said Inspector or other official has reasonable cause to believe to have been an employee ; or

(d) make copies of or take extracts from, any register, account book or other document maintained in such factory, establishment, office or other premises.

[No. S. 38014/9/78-HII]

Explanatory Memorandum

It has become necessary to give retrospective effect to the exemption in this case, as the processing of the application for exemption took time. However, it is certified that grant of exemption with retrospective effect will not affect the interest of anybody adversely.

का० आ० 3442.—केन्द्रीय सरकार, कर्मचारी राज्य बीमा प्रधिनियम, 1948 (1948 का 34) की धारा 88 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, और भारत सरकार के श्रम मंत्रालय की प्रधिमूलना संख्या ना०आ० 849, नारोख 10 मार्च, 1978 और संख्या का०आ० 2198, नारोख 14 जुलाई, 1978 के प्रत्यक्षमें, इस से उपायदृष्ट अनुसूची में विनिष्टित तथा भारत सरकार के उच्चोग मंत्रालय से गम्भीर कारबाहों के नियमित कर्मचारियों को पूर्वोक्त अनुसूची के सम्म 3 की तस्थानी प्रधिनियमों में विनिष्टित अवधि के लिए हा० अधिनियम के प्रबंधन से छूट देती है।

2. पूर्वोक्त छूट की शर्तें निम्नलिखित हैं, अर्थात् :—

(1) पूर्वोक्त कारबाहों, जिसमें कर्मचारी नियोजित हैं, एक रजिस्टर रखेगा, जिसमें छूट प्राप्त कर्मचारियों के नाम और प्रतापिधान विवरों जाएंगे;

(2) हा० छूट के होते हुए भी, कर्मचारी उक्त प्रधिनियम के प्रधीन ऐसी प्रसुचियाण् प्राप्त करते रहेंगे, जिनको पाने के लिए वे हा० प्रधिमूलना द्वारा दी गई छूट के प्रबूत होने की नारोख से पूर्व संबल प्रधिदायों के आधार पर त्रृक्तावार हो जाते;

(3) छूट प्राप्त अवधि के लिए यदि कोई अधिदाय पहुंच ही किए जा सके हों तो वे वासिप नही॒ किये जाएंगे,

(4) उक्त कारबाहों का नियोजक, उस प्रवधि की बाबत जिसके शीरन उस कारबाहों पर उक्त प्रधिनियम प्रबंधनान था (जिसे इसमें हाल पश्चात् “उक्त प्रवधि” कहा गया है), ऐसी विवरणियाण् ऐसे प्रलृप्त में शांग ऐसी विधिनियमों सहित देगा जो कर्मचारी राज्य बीमा (माधारण) विनियम, 1950 के प्रधीन उसे उक्त प्रवधि की बाबत देती थी;

(5) नियम धारा उक्त प्रधिनियम की धारा 45 की उपधारा

(1) के प्रधीन नियुक्त किया गया कोई निरीक्षक, या नियम का इस नियमित प्राप्तिकृत कोई अन्य पदधारी :—

(i) धारा 44 की उपधारा (1) के प्रधीन, उक्त प्रवधि की बाबत दी गई किसी विवरणी की विधिनियमों को सत्यापित करने के प्रयोगनाथः या

(ii) यह अधिनियम करने के प्रयोजनार्थ कि कर्मचारी राज्य विभाग (साधारण) विनियम, 1950 हारा यथाव्यवेक्षित रजिस्टर और अधिनियम उन प्रबंधित के लिए रखे गए थे या नहीं; या

(iii) यह अधिनियम करने के प्रयोजनार्थ कि कर्मचारी, नियोजक हारा विभाग या उन कार्यदारों को, जिनके प्रतिक्रिया स्वरूप इस अधिनियम के प्रधीन छूट की जा रही है, नकद में और वस्तु रूप में पाने का इकाई बता हुआ है या नहीं; या

(iv) यह अधिनियम करने के प्रयोजनार्थ कि उस प्रबंधि के दौरान, जब उक्त कारबाहने के संबंध में अधिनियम के उपबंध प्रवृत्त हो, ऐसे किन्हीं उपबंधों का अनुपालन किया गया था या नहीं,

निम्नलिखित कार्य करने के लिए साशक्त होगा .—

(क) प्रधान या अध्यवहित नियोजक में अपेक्षा करना कि वह उसे ऐसी जानकारी दे जिसे उपरोक्त नियोजक या अन्य पदधारी आवश्यक समझता है;

(ख) ऐसे प्रधान या अध्यवहित नियोजक के अधिभोगाधीन किसी कारबाहने, स्थापन, कार्यालय या अन्य परिसर में किसी भी उचित समय पर प्रवेश करना और उसके प्रधारी से यह अपेक्षा करना कि वह अविभिन्नों के नियोजन और मजदूरी के संबंध से संबंधित ऐसे लेखा, अद्वितीय अथवा अन्य दस्तावेज, ऐसे नियोजक या अन्य पदधारी के समक्ष प्रस्तुत करे और उनकी परीक्षा करने दे, या उन्हे ऐसी जानकारी दे जिसे वे आवश्यक समझते हैं, या

(ग) प्रधान या अध्यवहित नियोजक की उनके अधिकारी या सेवक की, या ऐसे किसी व्यक्ति की जो ऐसे कारबाहने, स्थापन, कार्यालय या अन्य परिसर में पाया जाए, या ऐसे किसी व्यक्ति कि जिसके बारे में उनके नियोजक या अन्य पदधारी के पास वह विश्वास करने का युक्तियुक्त यात्रण है कि वह कर्मचारी है, परीक्षा करना या

(ज) ऐसे कारबाहने, स्थापन, कार्यालय या अन्य परिसर में रखे गए किसी रजिस्टर, लेखावही या अन्य वस्तावेज की नकल तैयार करना या उससे उद्दरण लेना।

अनुसूची

क्रम सं.	कारबाहने का नाम	छूट की अवधि
1	2	3
1.	लघु उद्योग सेवा संस्थान वर्मशाला, जगत्पुर।	1-10-1978 से 30-9-1979
2.	लघु उद्योग सेवा संस्थान विस्तार केन्द्र, जोधपुर।	1-10-1978 से 30-9-1979

3. लघु उद्योग सेवा संस्थान विस्तार 1-10-1978 से 30-9-1979 केन्द्र, विजयवाड़ा।

4. लघु उद्योग सेवा संस्थान, कलकत्ता 1-10-1978 से 30-9-1979 से सम्बद्ध मणीन शाप एवं श्रीजार-कथ।

5. लघु उद्योग सेवा संस्थान, विस्तार 1-10-1978 से 30-9-1979 केन्द्र, कोयम्बटुर।

6. लघु उद्योग सेवा संस्थान, विस्तार 1-10-1978 से 30-9-1979 केन्द्र, मुमुर्गाई।

7. लघु उद्योग सेवा संस्थान जम्मे शोध 1-10-1978 से 30-9-1979 केन्द्र, इरोड़।

8. लघु उद्योग सेवा एकक केन्द्रीय कर्म शाला, गुरुडी, मद्रास।

[सं. एम-38014/12/79-प्रा० प्राई०]

प्रबंधालयक जापन

इस मामले में पूर्वीपक्षी प्रभाव में छूट देनी आवश्यक हो गई है, क्योंकि छूट के लिए प्रार्थना देर से प्राप्त हुई थी। तथापि यह प्रमाणित किया जाता है, कि कारबाहना में बगबर काम करने वाले कर्मकार छूट के पास हैं। यह भी प्रमाणित किया जाता है कि पूर्वीपक्षी प्रभाव से छूट देने से किसी के हित पर प्रतिशुल प्रभाव नहीं पड़ेगा।

S.O. 3442.—In exercise of the powers conferred by section 88 of the Employees' State Insurance Act, 1948 (34 of 1948) and in continuation of the notification of the Government of India in the Ministry of Labour No. S.O. 849, dated 10th March, 1978, and No. S.O. 2198, dated the 14th July, 1978, the Central Government hereby exempts the regular employees of the factories specified in the Schedule annexed hereto, belonging to the Government of India in the Ministry of Industry, from the operation of the said Act for the period specified in the corresponding entries in column 3 of the aforesaid Schedule.

2. The above exemption is subject to the following conditions, namely :—

(1) The aforesaid factory wherein the employees are employed shall maintain a register showing the names and designations of the exempted employees;

(2) Notwithstanding this exemption, the employees shall continue to receive such benefits under the said Act to which they might have become entitled to on the basis of the contributions paid prior to the date from which exemption granted by the notification operates ;

(3) The contributions for the exempted period, if already paid, shall not be refunded ;

(4) The employer of the said factory shall submit in respect of the period during which that factory was subject to the operation of the said Act (hereinafter referred to as the said period), such returns in such form and containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulations, 1950 ;

- (5) Any inspector appointed by the Corporation under sub-section (1) of section 45 of the said Act, or other Official of the Corporation authorised in this behalf shall, for the purposes of—
- verifying the particulars contained in any return submitted under sub-section (1) of section 44 for the said period ; or
 - ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period ; or
 - ascertaining whether the employees continue to be entitled to benefits provided by the employer in cash and kind being benefits in consideration of which exemption is being granted under this notification ; or
 - ascertaining whether any of the provisions of the Act had been complied with during the period when such provisions were in force in relation to the said factory,
- be empowered to—
- require the principal or immediate employer to furnish to him such information as he may consider necessary ; or
 - enter any factory, establishment, office or other premises occupied by such principal or immediate employer at any reasonable time and require any person found in charge thereof to produce to such Inspector or other official and allow him to examine such accounts, books and other documents relating to the employment of persons and payment of wages or to furnish to him such information as he may consider necessary ; or
 - examine the principal or immediate employer, his agent or servant, or any person found in such factory, establishment, office or other premises, or any person whom the said Inspector or other official has reasonable cause to believe to have been an employee ; or
 - make copies of or take extracts from, any register, account book or other document maintained in such factory, establishment, office or other premises.

SCHEDULE

Sl. No.	Name of the factory	Period of exemption
1	2	3
1.	Small Industries Service Institute Workshop Jaipur.	1-10-1978 to 30-9-1979
2.	Small Industries Service Institute, Extension Centre, Jodhpur.	1-10-1978 to 30-9-1979
3.	Small Industries Service Institute, Extension Centre, Vijayawada.	1-10-1978 to 30-9-1979
4.	Machine Shop-cum-Tool Room attached to Small Industries Services Institute, Calcutta.	1-10-1978 to 30-9-1979

1	2	3
5.	Small Industries Service Institute, Extension Centre, Coimbatore.	1-10-1978 to 30-9-1979
6.	Small Industries Service Institute, Extension Centre, Madurai.	1-10-1978 to 30-9-1979
7.	Small Industries Service Institute, Leather Finishing Centre, Erode.	1-10-1978 to 30-9-1979
8.	Central Workshop Small Industries Service Unit, Guindy, Madras.	1-6-1978 to 30-9-1979

[No. S. 38014/12/79-HI]

EXPLANATORY MEMORANDUM

It has become necessary to give retrospective effect to the exemptions in this case, as the request for exemption was received late. However, it is certified that the regular employees of the factories are eligible for exemption. It is also certified that the grant of exemptions with retrospective effect will not affect the interest of anybody adversely.

नई दिल्ली, 18 सितम्बर, 1979

का० आ० 3443.—केन्द्रीय सरकार ना गमाधार दो गया है कि इसमें उपायद मन्त्रालय में निनिदिष्ट भारत गरकार के कारबानों के कर्मचारियों को, कर्मचारी राज्य बीमा अधिनियम, 1978 (1948 का 34) के अधीन प्रमुखियाओं के नाम: गमान उपनियम प्रमुखियां, ग्रन्थालय मिल रही हैं।

प्रत: अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 90 हारा प्रदत्त शक्तियों का प्रयोग करते हुए, और भारत गरकार के थम मंत्रालय की अधिसूचना संभग का० आ० 3262, दिनांक 21 जुलाई, 1978 के अनुक्रम में, पूर्वोक्त मन्त्रालय के स्तम्भ 2 में निनिदिष्ट कारबानों को 1 अक्टूबर, 1978 से 30-9-1979 तक जिसमें वह तारीख भी सम्मिलित है एक और वर्ष की अवधि के लिए उक्त अधिनियम के प्रवर्तन से छूट देती है।

2. पूर्वोक्त छूट की शर्तें निम्नलिखित हैं, अर्थात् :—

- उक्त कारबानों का नियोजक, उम अधिकारी की बाबत जिसके द्वारा उग कारबाने पर उक्त अधिनियम प्रवर्तमान था (जिसे इसमें इसके प्रकार "उक्त अवधि" कहा गया है), ऐसी विवरणियां, ऐसे प्रस्तुत में और ऐसी विविधियों महिन बैगा जो कर्मचारी राज्य बीमा (माधारण) अधिनियम, 1950 के अधीन उसे उक्त अवधि की बाबत देती थीं;
- निगम द्वारा उक्त अधिनियम की धारा 45 की उपधारा (1) के अधीन नियुक्त किया गया कोई निरीक्षक, या निगम का इस निमिल प्राधिकृत कोई अन्य पदधारी :—
 - धारा 44 की उपधारा (1) के अधीन, उक्त अवधि की बाबत दी गई किसी विवरणी की विविधियों को सत्यापित करने के प्रयोजनार्थी ; या
 - यह अधिनियित करने के प्रयोजनार्थी कि कर्मचारी राज्य बीमा (माधारण) अधिनियम 1950 द्वारा यथा-अपेक्षित रजिस्टर और अधिकृत उक्त अवधि के लिए रखे गए थे या नहीं ; या

- (3) यह अभिनिवित करने के प्रयोगनार्थ कि कर्मचारी, नियोजक द्वारा दिया गए उन कायदों को, जिसके प्रतिकाल स्वरूप इस अधिसूचना के अधीन छूट दी जा रही है, तकद में और वस्तु रूप में पाने वा हकदार बना हुआ है या नहीं, या
- (4) यह अभिनिवित करने के प्रयोगनार्थ कि उम्मीद के द्वारा, जब उक्त कायदाने के सबूद में अधिनियम के उपर्यन्त प्रवृत्त थे, ऐसे किन्हीं उपर्यन्त का अनुपालन किया गया था या नहीं,

निम्नालिखित कायद करने के लिए सशक्त होगा --

- (क) प्रधान या अध्यवक्ति नियोजक से अपेक्षा करना कि वह उसे ऐसी जानकारी दे जिसे उपरोक्त निरीक्षक या अन्य पदधारी आवश्यक समझता है,
- (ख) ऐसे प्रधान या अध्यवक्ति नियोजक के अधिभोगाधीन किसी कारबाने, स्थापन, कार्यालय या अन्य परिसर में किसी भी उचित समय पर प्रवेश करना और उसके प्रभारी से अपेक्षा करना कि वह अधिकारी के नियोजन और मजदूरी के सदाय से संबंधित ऐसे लेखा, बहियां आदि अन्य दस्तावेज, ऐसे निरीक्षक या अन्य पदधारी के समक्ष प्रस्तुत करे और उनकी परीक्षा करते हैं, या उन्हें ऐसी जानकारी दे जिसे आवश्यक समझते हैं, [या
- (ग) प्रधान या अध्यवक्ति नियोजक की, उसके अधिकारी या सेवक की, या ऐसे किसी अधिकारी की जो ऐसे कारबाने, स्थापन, कार्यालय या अन्य परिसर में पाया जाए, या ऐसे किसी अधिकारी की जिसके बारे में उक्त निरीक्षक या अन्य पदधारी के पास यह विश्वास करने का नुकिलयुक्त कारण है कि वह कर्मचारी है, परीक्षा करना, या
- (घ) ऐसे कारबाने, स्थापन, कार्यालय या अन्य परिसर में रखे गए किसी रेजिस्टर, लेखांकनी या अन्य दस्तावेज की नकल तैयार करना या उससे उद्धरण लेना।

प्रमुख सूची

क्रमांक	कारबाने का नाम	सबूद मन्त्रालय/विभाग
1	2	3
1	मास मेर्लिंग ब्रेस, मास मेर्लिंग यूनिट, स्वास्थ्य और परिवार कल्याण मन्त्रालय, नई दिल्ली।	मन्त्रालय (स्वास्थ्य विभाग)।
2	प्रखिल भारतीय भौतिक औषधि और स्वास्थ्य और परिवार कल्याण पुनर्वास संस्थान मुम्बई का	मन्त्रालय (स्वास्थ्य विभाग)।
3	जल संकर्म आवनी बोर्ड ग्राम्याला।	रक्षा मन्त्रालय।
4	सरकारी अकाम और पेन्डेलाइट वित्त मन्त्रालय (राजस्व विभाग)।	संकर्म, गांधीपुर।
5	प्राणविक ईंधन काम्पॉक्स, हैदराबाद।	परमाणु कर्ज विभाग।
6	कलकत्ता, बम्बई और अबलपुर के द्वारा संचार मन्त्रालय (डाक और तार संचार कारबाने।	बोर्ड।

1	2	3
7.	सरकारी तार भवार, बम्बई।	संचार मन्त्रालय (डाक तार बोर्ड)।
8	डाक और तार सोटर सेवा, कर्मशाला	संचार मन्त्रालय (डाक और तार बम्बई।
9.	प्रयस्क हैंडलिंग संयंत्र स्थल कारबाना पोतपरिवहन और परिवहन मंत्रालय।	विवाहापट्टम्, वोर्ट ट्रस्ट, विवाहा-पट्टनम्।
10	मौसम विज्ञान कर्मशाला, पुणे।	परेंट और सिविल विमानन मन्त्रालय
11	भूगणितीय और अनुसंधान शाखा कर्म-	विज्ञान और शिल्प विज्ञान विभाग।
	शाखा, भारतीय सर्वेक्षण संस्थान, देहरादून।	
12.	भारतीय सर्वेक्षण संस्थान के अधीन विज्ञान और शिल्प विज्ञान विभाग।	सर्वेक्षण निवेशालय (ए पाई भार)
		मुद्रण बेत, नई दिल्ली।
13	भारतीय सर्वेक्षण संस्थान, हैदराबाद के विज्ञान और शिल्प विज्ञान विभाग।	पाइलट मानचित्र उत्पादन संयंत्र के संख्या 104 (हैदराबाद) मुद्रण संग्रह।
14	भारत सरकार मुद्रणालय, कोम्प्लेक्स तृतीय प्रावास मन्त्रालय।	
15	भारत सरकार मुद्रणालय, कोरड़ी।	निर्माण और प्रावास मन्त्रालय।
16	लघु उद्योग सेवा संस्थान, हैंडस्ट्रियल उद्योग मन्त्रालय।	एस्टेट, शोखला, दिल्ली।

[संख्या एस-38014/8/78-एच० आई०]

प्राध्यात्मक जापन

इस मामले में पूर्वीपक्षी प्रभाव से छूट देनी आवश्यक हो गई है, ज्योकि छूट के लिए प्रार्थना-पत्रों पर कार्रवाई करने में समय लगा। तथापि, यह प्रमाणित किया जाता है कि कारबाने छूट के पाव हैं। यह भी प्रमाणित किया जाता है कि पूर्वीपक्षी प्रभाव से छूट देने से किसी के हित पर प्रतिकूल प्रभाव नहीं पड़ेगा।

New Delhi, the 18th September, 1979

S.O.3443.—Whereas the Central Government is satisfied that the employees of the factories, specified in the Schedule annexed hereto, belonging to the Government of India are otherwise in receipt of benefits substantially similar to the benefits provided under the Employees' State Insurance Act, 1948 (34 of 1948);

Now, Therefore, in exercise of the powers conferred by section 90 of the said Act and in continuation of the notification of the Government of India in the Ministry of Labour No S.O. 2262, dated the 21st July, 1978, the Central Government hereby exempts the factories specified in column 2 of the Schedule aforesaid, from the operation of the said Act for a further period of one year with effect from the 1st October, 1978 upto and inclusive of 30th September, 1979.

2 The above exemption is subject to the following conditions, namely.—

(1) The employer of the said factory shall submit in respect of the period during which that factory was subject to the

operation of the said Act (hereinafter referred to as the said period), such returns in such form and containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulation, 1950;

(2) Any Inspector appointed by the Corporation under sub-section (1) of section 45 of the said Act, or other official of the Corporation authorised in this behalf shall, for the said period; or

(i) verifying the particulars contained in any return submitted under sub-section (1) of section 44 for the said period; or

(ii) ascertaining whether registers and records were maintained as required by the Employee's State Insurance (General) Regulations, 1950 for the said period; or

(iii) ascertaining whether the employees continue to be entitled to benefits provided by the employer in cash and kind being benefits in consideration of which exemption is being granted under this notification; or

(iv) ascertaining whether any of the provisions of the Act has been complied with during the period when such provisions were in force in relation to the said factory;

be empowered to—

(a) require the principal or immediate employer to furnish to him such information as he may consider necessary; or

(b) enter any factory, establishment, office or other premises occupied by such principal or immediate employer at any reasonable time and require any person found in charge thereof to produce to such Inspector or other official and allow him to examine such accounts, books and other documents relating to the employment of persons and payment of wages or to furnish to him such information as he may consider necessary; or

(c) examine the principal or immediate employer, his agent or servant, or any person found in such factory, establishment, office or other premises, or any person whom the said Inspector or other official has reasonable cause to believe to have been an employee; or

(d) make copies of or take extracts from, any register, account book or other document maintained in such factory, establishment office or other premises.

SCHEDULE

Sl. No.	Name of the factory	Ministry/Department concerned
1	2	3
1.	Mass Mailing Press, Mathura Road, New Delhi.	Ministry of Health and Family Welfare (Department of Family Welfare)
2.	Prosthetic Workshops of the All India Institute of Physical Medicine and Rehabilitation, Bombay.	Ministry of Health and Family Welfare (Department of Health).

1	2	3
3.	Water Works Cantonment Board, Ambala.	Ministry of Defence.
4	Government Opium and Alakaloid, Works Ghazipur.	Ministry of Finance (Department of Revenue).
5.	Nuclear Fuel Complex, Hyderabad.	Department of Atomic Energy.
6.	Telecommunication Factories at Calcutta, Bombay and Jabalpur.	Ministry of Communications (Posts and Telegraph Boards).
7.	Government Telegraph Stores, Bombay.	Ministry of Communications (Posts and Telegraph Boards).
8.	Posts and Telegraphs Motor Service Workshops, Bombay.	Ministry of Communications (Posts and Telegraph Boards).
9.	Ore Handling Plant Site Workshop, Visakhapatnam, Port Trust, Visakhapatnam.	Ministry of Shipping and Transport.
10.	Meteorological Workshop, Poona.	Ministry of Tourism and Civil Aviation.
11.	Geodetic and Research Branch Workshop, Survey of Technology, India, Dehradun.	Department of Science and Technology.
12.	Directorate of Survey (AIR) Printing Press, New Delhi—under survey of India.	Department of Science and Technology.
13.	No. 104 (4BD) Printing Group, Pilot Map Production Plant, Survey of India, Hyderabad.	Department of Science and Technology.
14.	Government of India Press, Coimbatore.	Ministry of Works and Housing.
15.	Government of India, Press, Koratty.	Ministry of Works and Housing.
16.	Small Industries Service Institute, Industrial Estate, Okhla, Delhi.	Ministry of Industry.

[No. S—38014/8/78/HI]

EXPLANATORY MEMORANDUM

It has become necessary to give retrospective effect to the exemption in this case, as the processing of the applications for exemption took time. However, it is certified that the factories are eligible for exemption. It is also certified that grant of exemption with retrospective effect will not affect the interest of anybody adversely.

सांख्य 3444.—केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 88 द्वारा प्रवर्त्त शक्तियों का प्रयोग करते हुए, और भारत सरकार के अम मंत्रालय की अधिसूचना संघरा का ० सांख्य 919, तारीख 18 मार्च, 1978 के अनुक्रम में वैज्ञानिक और शैक्षणिक अनुसंधान परिषद, नई दिल्ली की (1) राष्ट्रीय वैज्ञानिक प्रयोग-शाला, बंगलोर, (2) प्रादेशिक अनुसंधान प्रयोगशाला, हैदराबाद, (3) केन्द्रीय खाद्य प्रौद्योगिक अनुसंधान, संस्थान, मैसूरू और (4) केन्द्रीय शौषधि अनुसंधान संस्थान, लखनऊ के स्थायी और प्रस्थायी कर्मचारियों को उक्त अधिनियम के प्रवर्तन से 1 जूनाई, 1978 से 30 जून, 1979 तक, जिसमें यह दिन भी सम्मिलित है, एक वर्ष की और अवधि के लिए छूट देती है।

2. पूर्वोक्त छूट की शर्तें निम्नलिखित हैं, अर्थात् :—

- (1) पूर्वोक्त कारखाने, जिसमें कर्मचारी नियोजित है, एक रजिस्टर जिसमें छूट प्राप्त कर्मचारियों के नाम और पदाधिकार दिखाये जाएँगे ;
- (2) इस छूट के होने हुए भी कर्मचारी उक्त अधिनियम के अधीन ऐसी प्रतिविधिएं प्राप्त करते रहेंगे जिनको पाने के लिए वे हम अधिसूचना द्वारा दी गई छूट के प्रवर्त्त होने की सारी व्यापक संदर्भ अधिकारियों के आधार पर हकदार हो जाते ;
- (3) छूट प्राप्त अवधि के लिए यदि कोई अभियाय पहले ही किए जा चुके हों तो वे वापिस नहीं किये जाएँगे ;
- (4) उक्त कारखाने का नियोजक उम प्रबन्ध की बाबत जिसके द्वारा उस कारखाने पर उक्त अधिनियम प्रवर्तमान था (जिसे इसके पश्चात् “उक्त अवधि” कहा गया है), ऐसी विवरणियों सहित वेगा जो कर्मचारी राज्य बीमा (साधारण) विनियम 1950 के अधीन उसे उक्त अवधि की आवश्यकता देती थी :
- (5) नियम द्वारा उक्त अधिनियम की धारा 45 की उपधारा (1) के अधीन नियुक्त किया गया कोई निरीक्षक, या नियम का इस निमित्त प्राविकृत कोई अन्य पदधारी :—
 - (1) धारा 44 की उपधारा (i) के अधीन, उक्त अवधि की बाबत दी गई किसी विवरणी की विविटियों को भव्यापूर्ण करने के प्रयोजनार्थ : था
 - (2) यह अभिनियित करने के प्रयोजनार्थ कि कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 द्वारा यथावत् अधिकारी उक्त कारखाने उक्त अवधि के लिए रखे गए थे या नहीं ; या
 - (3) यह अभिनियित करने के प्रयोजनार्थ कि कर्मचारी, नियोजक द्वारा दिए गए उन कार्यवांकों, जिसके प्रतिकल स्वरूप इस अधिसूचना के अधीन छूट दी जा रही है, नकद में और वस्तु रूप में पाने का हकदार जना हुआ है या नहीं ; या
 - (4) यह अभिनियित करने के प्रयोजनार्थ कि उस अवधि के दौरान, जब उक्त कारखाने के संबंध में अधिनियम के उपबंध प्रवृत्त थे, ऐसे किन्तु उपबंधों का अनुपालन किया गया था या नहीं ;

निम्नलिखित कार्य करने के लिए सशक्त होगा :—

- (क) प्रधान या अध्यवक्ता नियोजक से अपेक्षा करना कि वह उसे ऐसी जानकारी दे जिसे उपरोक्त निरीक्षक या अन्य पदधारी आवश्यक समझता है।
- (ख) ऐसे प्रधान या अध्यवक्ता नियोजक के अधिकारी किसी कारखाने स्थान, कार्यालय या अन्य परिस्तर में पाया जाए, या ऐसे किसी अपार्टमेंट की जिसके बारे में उक्त निरीक्षक या अन्य पदधारी के पास यह विषवारा करने का युक्तियुक्त कारण है कि वह कर्मचारी है, परीक्षा करना ; या

उचित समय पर प्रवेश करना और उसके प्रभारी से यह अपेक्षा करना कि वह व्यक्तियों के नियोजन और मजबूरी के संशय से संबंधित ऐसे लेखा, बहिर्या और अन्य वस्तावेज, ऐसे निरीक्षक या अन्य पदधारी के समक्ष प्रस्तुत करे और उनकी परीक्षा करने वे, या उन्हें ऐसी जानकारी दे जिसे वे आवश्यक समझते हैं : या

- (ग) प्रधान या अध्यवक्ता नियोजक को, उसके अधिकर्ता या सेवक की, या ऐसे किसी व्यक्ति की जो ऐसे कारखाने, स्थान, कार्यालय या अन्य परिस्तर में पाया जाए, या ऐसे किसी अपार्टमेंट की जिसके बारे में उक्त निरीक्षक या अन्य पदधारी के पास यह विषवारा करने का युक्तियुक्त कारण है कि वह कर्मचारी है, परीक्षा करना ; या
- (घ) ऐसे कारखाने, स्थान, कार्यालय या अन्य परिस्तर में ऐसे विवरण या अन्य वस्तावेज की नकल तैयार करना या उससे उद्धरण लेना ।

[संख्या एस ०-३८०१४/३७/७८-एच० आई०]

ध्यालयात्मक जापन

इस मामले में पूर्वपक्षी प्रमाण से छूट देनी आवश्यक हो गई है, क्योंकि छूट के नीतीकरण के लिए प्राप्त आवेदन-पत्र की कार्रवाई पर समय लगा । नथापि यह प्रमाणित किया जाता है कि जिन परिस्थितियों में आरंभ में छूट दी गई थी थे अभी भी यह विद्यमान है और कर्मचारी छूट के पात्र है । यह भी प्रमाणित किया जाता है कि पूर्वपक्षी प्रभाव से छूट बेते से किसी के हित पर प्रतिकूल प्रभाव नहीं पड़ेगा ।

S.O. 3444.—In exercise of the powers conferred by section 88 of the Employees' State Insurance Act, 1948 (34 of 1948) and in continuation of the notification of the Government of India in the Ministry of Labour No. S.O. 919 dated the 18th March, 1978 the Central Government hereby exempts the permanent and temporary employees of (1) National Aeronautical Laboratory, Bangalore (2) Regional Research Laboratory, Hyderabad (3) Central Food Technological Research Institute, Mysore and (4) Central Drug Research Institute, Lucknow belonging to the Council of Scientific and Industrial Research, New Delhi from the operation of the said Act for a further period of one year with effect from the 1st July, 1978 upto and inclusive of 30th June, 1979.

2. The above exemption is subject to the following conditions, namely :—

- (1) The aforesaid factory wherein the employees are employed shall maintain a register showing the names and designations of the exempted employees ;
- (2) Notwithstanding this exemption, the employees shall continue to receive such benefits under the said Act to which they might have become entitled to on the basis of the contributions paid prior to the date from which exemption granted by this notification operates ;
- (3) The contributions for the exempted period, if already paid, shall not be refunded ;
- (4) The employer of the said factory shall submit in respect of the period during which that factory was subject to the operation of the said Act (hereinafter referred to as the said period), such returns in such form and containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulations, 1950 ;
- (5) Any Inspector appointed by the Corporation under sub-section (1) of section 45 of the said Act, or other Official of the Corporation authorised in this behalf shall, for the purpose of—
 - (i) verifying the particulars contained in any return submitted under sub-section (1) of section 44 for the said period ; or

- (ii) ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period ; or
- (iii) ascertaining whether the employees continue to be entitled to benefits provided by the employer in cash and kind being benefits in consideration of which exemption is being granted under this notification ; or
- (iv) ascertaining whether any of the provisions of the Act had been complied with during the period when such provisions were in force in relation to the said factory.

be empowered to—

- (a) require the principal or immediate employer to furnish to him such information as he may consider necessary ; or
- (b) enter any factory, establishment, office or other premises occupied by such principal or immediate employer at any reasonable time and require any person found in charge thereof to produce to such Inspector or other official and allow him to examine such accounts, books and other documents relating to the employment of persons and payment of wages or to furnish to him such information as he may consider necessary ; or
- (c) examine the principal or immediate employer, his agent or servant, or any person found in such factory, establishment, office or other premises, or any person whom the said Inspector or other official reasonable cause to believe to have been an employee ; or
- (d) make copies of or take extracts from, any register, account book or other document maintained in such factory, establishment, office or other premises.

[No. S-38014/37/78-II]

EXPLANATORY MEMORANDUM

It has become necessary to give retrospective effect to the exemption in this case, as the processing of the application for exemption took time. However, it is certified that the conditions under which the exemption was originally granted still persist and the employees are eligible for exemption. It is also certified that the grant of exemption with retrospective effect will not affect the interest of anybody adversely.

का० आ० 3445.—केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 91के मापदण्डित धारा 88द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, (1) केन्द्रीय छात्र्य प्रोशोगिकों या अनुसंधान संस्थान, सौर, (2) गण्डीय बैमानिकी प्रयोगशाला, बंगलौर, (3) विश्वविद्यालय प्रोशोगिकी संस्थान, बंगलौर और (4) क्षेत्रीय अनुसंधान प्रयोगशाला, हैवराबाद के स्थायी और अस्थायी कर्मचारियों को तारीख 11 जून, 1968 से 16 नवम्बर 1973 तक की जिम्मे यह तारीख भी सम्मिलित है, अवधि के लिए उक्त अधिनियम के प्रबंधन से छठ पैरी है।

2. पूर्वोक्त छूट निम्नलिखित गती के अधीन है, अर्थात्—

- (1) पूर्वोक्त कारबान, जिसमें कर्मचारी नियोजित हैं, एक रजिस्टर रखेगा, जिसमें छूट प्राप्त कर्मचारियों के मास और पदाधिकार दिलाये जाएंगे :
- (2) इस छूट के होते हुए भी, कर्मचारी उक्त अधिनियम के अधीन ऐसी प्रसुदिधाएँ प्राप्त करते रहेंगे, जिसको पाने के लिए वे उस अधिसूचना द्वारा दी गई छूट के प्रवृत्त होने की तारीख से पूर्व संबल अधिदायों के माध्यम पर हकदार हो जाते,
- (3) छूट प्राप्त अवधि के लिए यदि कोई अधिदाय पहले ही किए जा चुके हों तो वे वापिस नहीं किये जाएंगे ;

- (4) उक्त कारबाने का नियोजक, उस अवधि की बाबत जिसके द्वारा वह कारबाना उक्त अधिनियम के प्रबंधन के अधीन था (जिसे इसमें छात्र्य के प्रवृत्त होने की बाबत कहा गया है), ऐसी विवरणियाँ ऐसे प्रस्तुत में और ऐसी विवरणियाँ सहित देंगे जो कर्मचारी राज्य बीमा (साधारण) अधिनियम, 1950 के अधीन उसे उक्त अवधि की बाबत देती थीं ;
- (5) निगम द्वारा उक्त अधिनियम की धारा 45 की उप-धारा (1) के अधीन नियुक्त किया गया कोई निरीक्षक, या निगम का इस निमित्स प्राधिकृत कोई अन्य पदधारी—

 - (1) धारा 44 की उपधारा (1) के अधीन, उक्त अवधि की बाबत दी गई किसी विवरणी की विवरणियाँ को सन्यापित करने के प्रयोजनार्थ : या
 - (2) यह अधिनियम करने के प्रयोजनार्थ कि कर्मचारी राज्य बीमा (नाधारण) अधिनियम, 1950 द्वारा यथाप्रवृत्ति रजिस्टर और अधिनियम उक्त अवधि के लिए रखे गए थे या नहीं, या
 - (3) यह अधिनियम करने के प्रयोजनार्थ कि कर्मचारी, नियोजक द्वारा दिए गए उन फायदों को, जिसके प्रतिकाल स्वरूप इस अधिसूचना के अधीन छूट दी जा रही है, मकान में और वस्तु एवं मानने का हकदार बना हुआ है या नहीं ; या
 - (4) यह अधिनियम करने के प्रयोजनार्थ कि उस अवधि के शैरीन, जब उक्त कारबाने के संबंध में अधिनियम के उपबंध प्रवृत्त थे, ऐसे किन्हीं उपबंधों का अनुपालन किया गया था या नहीं ;

1. निम्नलिखित कार्य करने के लिए साक्षम होगा—

- (क) प्रधान या अध्यवक्ता नियोजक से प्रोत्ता करना कि वह उसे ऐसी जानकारी दे जिसे उपरोक्त निरीक्षक या अन्य पदधारी अवश्यक गमनाना है ;
- (ख) ऐसे प्रधान या अध्यवक्ता नियोजक के अधिभोगाधीन किसी कारबाने, स्थापन, कार्यालय या अन्य परिमार में किसी भी उचित समय पर प्रदेश करना और उसके प्रभारी से यह प्रपेक्षा करना कि वह अक्तियों के नियोजन और मजदूरी के सदाय से संबंधित ऐसे लेखा, अहिंसा और अन्य दस्तावेज, ऐसे निरीक्षक या अन्य पदधारी के नमूने प्रस्तुत करे और उनकी परीक्षा करने दे, या उन्हें ऐसी जानकारी दे जिसे वे अवश्यक गमनाना है ; या
- (ग) प्रधान या अध्यवक्ता नियोजक की, उसके अधिकर्ता या नेतृत्व की, या ऐसे किसी अपिकी की ओर ऐसे कारबाने, स्थापन, कार्यालय या अन्य परिमार में पाया जाए, या ऐसे किसी अपिकी की जिम्मे भारे में उक्त निरीक्षक या अन्य पदधारी के पाय यह विश्वास करने का युक्तियुक्त कारण है कि वह कर्मचारी है, परीक्षा करना ; या
- (घ) ऐसे कारबाने, स्थापन, कार्यालय या अन्य परिसर में रखे गए किसी रजिस्टर, लेखाबदी या अन्य दस्तावेज की नकल लैयार करना या उससे उद्धरण लेना।

[माला प्रा० 38014/12/76-ए० आई०]

प्रावधारणक ज्ञापन

इस मामले में पूर्वोक्ती प्रभाव से छूट देनी आवश्यक हो गई है, क्योंकि छूट के लिए आवेदन-पत्र देर से प्राप्त हुआ था। साथापि, यह प्रमाणित किया जाना है कि कर्मचारी छूट के पात्र है। यह भी प्रमाणित किया जाता है कि पूर्वोक्ती प्रभाव से छूट देने से किसी के हित पर प्रतिकूल प्रभाव नहीं पड़ेगा।

S.O. 3445.—In exercise of the powers conferred by section 88 read with section 91A of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby exempts the permanent and temporary employees of (1) Central Food Technological Research Institute, Mysore, (2) National Aeronautical Laboratory, Bangalore, (3) Visvesvaraya Industrial and Technological Museum, Bangalore and (4) Regional Research Laboratory, Hyderabad, from the operation of the said Act for the period from the 11th June, 1968 upto and inclusive of the 16th November, 1973.

2. The above exemption is subject to the following conditions, namely :—

- (1) The aforesaid factory wherein the employees are employed shall maintain a register showing the names and designations of the exempted employees;
- (2) Notwithstanding this exemption, the employees shall continue to receive such benefits under the said Act to which they might have become entitled to on the basis of the contributions paid prior to the date from which exemption granted by this notification operates;
- (3) The contributions for the exempted period, if already paid, shall not be refunded;
- (4) The employer of the said factory shall submit in respect of the period during which that factory was subject to the operation of the said Act (hereinafter referred to as the said period), such returns in such form and containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulations, 1950;
- (5) Any Inspector appointed by the Corporation under sub-section (1) of section 45 of the said Act, or other Official of the Corporation authorised in this behalf shall, for the purpose of—
 - (i) verifying the particulars contained in any return submitted under sub-section (1) of section 44 for the said period; or
 - (ii) ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period; or
 - (iii) ascertaining whether the employees continue to be entitled to benefits provided by the employer in cash and kind being benefits in consideration of which exemption is being granted under this notification; or
 - (iv) ascertaining whether any of the provisions of the Act had been complied with during the period when such provisions were in force in relation to the said factory.

be empowered to—

- (a) require the principal or immediate employer to furnish to him such information as he may consider necessary; or
- (b) enter any factory, establishment, office or other premises occupied by such principal or immediate employer at any reasonable time and require any person found in charge thereof to produce to such Inspector or other official and allow him to examine such accounts, books and other documents relating to the employment of persons and payment of wages or to furnish to him such information as he may consider necessary; or
- (c) examine the principal or immediate employer, his agent or servant, or any person found in such factory, establishment, office or other premises, or any person whom the said Inspector or other official has reasonable cause to believe to have been an employee; or
- (d) make copies of or take extracts from, any register, account book or other document maintained in such factory, establishment, office or other premises

[No. S-38014/12/76]

EXPLANATORY MEMORANDUM

It has become necessary to give retrospective effect to the exemption, as the application for grant of exemption was

received late. However, it is certified that the employees were eligible for exemption. It is also certified that the grant of exemption with retrospective effect will not affect the interest of anybody adversely.

का० शा० 3446.—केन्द्रीय सरकार, कर्मचारी राज्य बोमा प्रधिनियम, 1948 (1948 का 34) की धारा 87 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, और भारत सरकार के अम मंत्रालय की प्रधिसूचना संख्या का० शा० 1318 तारीख 20 अप्रैल, 1978 के मन्त्रक्रम में वैशालिक और भौतिक प्रमुखता विविध विवरणों की (1) राज्यीय राज्यविनियम प्रयोगशाला, पूना और (2) राज्यीय भौतिक प्रयोगशाला, नई दिल्ली को उक्त प्रधिनियम के प्रवर्तन से 1 जुलाई, 1978 से 30 जून, 1979 तक, जिसमें यह दिन भी सम्मिलित है, एक दर्शकी और प्रबंधि के लिए छूट देती है।

2. पूर्वोक्त छूट की शर्तें निम्नलिखित हैं, अर्थात् :—

(1) उक्त कारखाने का नियोजक, उस प्रबंधि की बाबत जिसके द्वारा उस कारखाने पर उक्त प्रधिनियम प्रवर्तमान था (जिसे इसमें इसके पश्चात् 'उक्त प्रबंधि' कहा गया है) ऐसी विवरणिया, ऐसे प्रलम्ब में और ऐसी विविधियों लाहित देगा जो कर्मचारी राज्य बोमा (माधारण) प्रधिनियम, 1950 के प्रधीन उसे उक्त प्रबंधि की बाबत देनी थी ;

(2) निगम द्वारा उक्त प्रधिनियम की धारा 45 की उपधारा (1) के अधीन नियुक्त किया गया कोई निरीक्षक, या निगम का इस नियमित प्राधिकृत कोई अन्य पदधारी—

(i) धारा 44 की उपधारा (1) के अधीन, उक्त प्रबंधि की बाबत दी गई किसी विवरणी की विविधियों को मन्त्रालय करने के प्रयोजनार्थ ; या

(ii) यह प्रधिनियम करने के प्रयोजनार्थ कि कर्मचारी राज्य बोमा (माधारण) विविधियम, 1950 द्वारा यथा भवेत्ति रजिस्टर और अधिलेख का, उक्त प्रबंधि के लिए रखे गए थे या नहीं, या

(iii) यह प्रधिनियम करने के प्रयोजनार्थ कि कर्मचारी, नियोजक द्वारा दिए गए उन फायदों को, जिसके प्रतिक्रियालूप इस प्रधिसूचना के अधीन छूट दी जा रही है, नकद में और बस्तु लूप में जाने का हकदार बना हुआ है या नहीं ; या

(iv) यह प्रधिनियम करने के प्रयोजनार्थ कि उस प्रबंधि के द्वारा, जब उक्त कारखाने के संबंध में प्रधिनियम के उत्तराधि प्रबूत थे, ऐसे किन्हीं उपबंधों का अनुपालन किया गया था या नहीं ; तिम्नलिखित कार्य करने के लिए सक्षम होगा :—

(क) प्रधान या अध्यवहित नियोजक में अपेक्षा करना कि वह उसे ऐसी जानकारी दें जिसे उपरोक्त निरीक्षक या अन्य पदधारी आवश्यक समझता है ; या

(ख) ऐसे प्रधान या अध्यवहित नियोजक के अधिभोगाधीन किसी कारखाने, स्थापन, कार्यालय या अन्य परिसर में किसी भी उचित समय पर प्रवेश करना और उसके प्रभाग में यह अपेक्षा करता कि वह व्यक्तियों के नियोजन और मजदूरी के गन्दाय से संबंधित ऐसे लेखा अहिया और अन्य दस्तावेज, ऐसे निरीक्षक या अन्य पदधारी के समक्ष प्रस्तुत करे और उनकी परीक्षा करने के दास यह विवास करने का युक्तियुक्त कारण है कि वह कर्मचारी है, परीक्षा करना ; या

(ग) प्रधान या अध्यवहित नियोजक की, उसके अधिकारीया संबंधी की, या ऐसे किसी व्यक्ति की जो ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिसर में पाया जाए, या ऐसे किसी व्यक्ति की जिसके बारे में उक्त निरीक्षक या अन्य पदधारी के दास यह विवास करने का युक्तियुक्त कारण है कि वह कर्मचारी है, परीक्षा करना ; या

(घ) ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिसर में रखे गए किसी रजिस्टर, लेखावही या अन्य दस्तावेज की नकल हैपार करना या उससे पदधरण लेना ।

[मंज्या एस०-३८०१४/८७/७८-एक० आई०]

शास्त्रात्मक जापन

इस मामले में पूर्वपिंडी प्रभाव से छूट देनी आवश्यक हा गई है क्योंकि छूट के नवीन के लिए प्राप्त आवेदन-पत्र को कार्यालय पर गमय लगा। तथापि यह प्रभावित किया जाता है कि जिन परिस्थितियों में आवश्यक में छूट दी गई थीं वे अभी भी विद्यमान हैं और कर्मचारी छूट के पात्र हैं। यह भी प्रभावित किया जाता है कि पूर्वपिंडी प्रभाव से छूट में किसी के हिस पर प्रतिकूल प्रभाव नहीं पड़ेगा।

S.O. 3446.—In exercise of the powers conferred by section 87 of the Employees' State Insurance Act, 1948 (34 of 1948) and in continuation of the notification of the Government of India in the Ministry of Labour No. S. O. 1318 dated the 20th April, 1978, the Central Government hereby exempts the (1) National Chemical Laboratory, Poona and (2) National Physical Laboratory, New Delhi belonging to the Council of Scientific and Industrial Research New Delhi from the operation of the said Act for a further period of one year with effect from the 1st July, 1978 upto and inclusive of 30th June, 1979.

2. The above exemption is subject to the following conditions, namely :—

- (1) The employer of the said factory shall submit in respect of the period during which that factory was subject to the operation of the said Act (hereinafter referred to as the said period), such returns in such form and containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulations, 1950;
- (2) Any Inspector appointed by the Corporation under sub-section (1) of section 45 of the said Act, or other Official of the Corporation authorised in this behalf shall, for the purposes of—
 - (i) verifying the particulars contained in any return submitted under sub-section (1) of section 44 for the said period, or
 - (ii) ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period; or
 - (iii) ascertaining whether the employees continue to be entitled to benefits provided by the employer in cash and kind being benefits in consideration of which exemption is being granted under this notification; and
 - (iv) ascertaining whether any of the provisions of the Act has been complied with during the period when such provisions were in force in relation to the said factory.

be empowered to—

- (a) require the principal or immediate employer to furnish to him such information as he may consider necessary; or
- (b) enter any factory, establishment, office or other premises occupied by such principal or immediate employer at any reasonable time and require any person found in charge thereof to produce to such Inspector or other official and allow him to examine such accounts, books and other documents relating to the employment of persons and payment of wages or to furnish to him such information as he may consider necessary; or
- (c) examine the principal or immediate employer, his agent or servant, or any person found in such factory, establishment, office or other premises, or any person whom the said Inspector or other official has reasonable cause to believe to have been an employee; or

(d) make copies of or take extracts from, any register, account book or other document maintained in such factory, establishment, office or other premises.

[No. S-38014/37/78-HI]

EXPLANATORY MEMORANDUM

It has become necessary to give retrospective effect to the exemption in this case, as the processing of the application for exemption took time. However, it is certified that the conditions under which the exemption was originally granted still persist and the employees are eligible for exemption. It is also certified that the grant of exemption with retrospective effect will not affect the interest of any body adversely.

नई दिल्ली, 21 सितम्बर, 1979

का० ना० 3447.—मैसर्सै इफ्सिट्रियल एण्ड एलाइन्ड मैस्ल प्राइवेट लिमिटेड, कम्पून्ड गार्डी गार्ड, नई दिल्ली (जिसे इसमें इसके पश्चात उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि और प्रकारी उपबन्ध अधिनियम, 1952 (1952 का 19) जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 17 की उपधारा (1) के खण्ड (क) के प्रधीन छूट दिए किए आवेदन किया है ;

और केन्द्रीय सरकार की राय में अधिवाय की दरों की बाबत उक्त स्थापन के भविष्य निधि उसके कर्मचारियों के लिए उन नियमों से कम अनुकूल नहीं हैं जो उक्त अधिनियम की धारा 6 में विनियोजित हैं और कर्मचारी भविष्य निधि की प्रत्येक प्रमुखियां भी पा रहे हैं जो कर्मचारियों के लिए कुल मिलाकर उन प्रमुखियाओं से कम अनुकूल नहीं हैं, जो उसी प्रकार के किसी अन्य स्थापन के कर्मचारियों के सम्बन्ध में उक्त अधिनियम के प्रधीन या कर्मचारी भविष्य निधि स्कीम, 1952 (जिसे इसमें आगे उक्त स्कीम कहा गया है) के प्रधीन दी जाती है ;

अतः अब, उक्त अधिनियम की धारा 17 की उपधारा (1) के खण्ड (क) द्वारा प्रवल्त गणितों के प्रयोग करते हुए और इसमें उपायद्वारा अनुसूची में विनियोजित भारी के प्रधीन रहते हुए, केन्द्रीय सरकार उक्त स्थापन को उक्त स्कीम के सभी उपबन्धों के प्रवर्तन से छूट देती है ।

प्रत्यक्षी

1 उक्त स्थापन से सम्बद्ध नियोजक :—

- (1) प्रत्येक मास की समाप्ति से 15 दिन के भीतर निरीक्षणार्थी ऐसी सुविधाओं के लिए उपबन्ध करेगा और ऐसे निरीक्षण प्रभार देगा जो केन्द्रीय सरकार, समय-समय पर, उक्त अधिनियम की धारा 17 की उपधारा (3) के खण्ड (क) के प्रधीन निवेश करे ;
- (2) भविष्य निधि में किए गए अधिवायों के विनिधान के सम्बन्ध में उक्त अधिनियम की धारा 17 की उपधारा (3) के खण्ड (क) के प्रधीन केन्द्रीय सरकार द्वारा समय-समय पर जारी किए गए निवेशों का पालन करेगा ;
- (3) इस बाबत सम्बन्धित भावधारी बताएगा कि उक्त स्थापन के संबंध में गठित व्यासी बोर्ड, भविष्य निधि में किए गए अधिवायों का विनिधान केन्द्रीय सरकार द्वारा समय-समय पर जारी किए गए निवेशों के अनुसार करे और उक्त व्यासी बोर्ड द्वारा भविष्य निधि में किए गए अधिवाय के में विनिधान के लिए जिम्मेदार होंगा ;
- (4) केन्द्रीय भविष्य निधि ग्राहक, दिल्ली को ऐसी विवरणियां प्रस्तुत करेगा जैसी केन्द्रीय सरकार समय-समय पर निर्देश करें ;
- (5) प्रत्येक कर्मचारी को वार्षिक लेखा विवरण या एक पात्र बुक देगा ;

- (6) भविष्य निधि के प्रशासन में, जिसके प्रशासन लेखा रखना, लेखा अद्वितीय और विवरणीय पेश करना, संचित निधि का अंतरण करना और निरीक्षण प्रभारों संदाय करना भी है, हुए सभी यथों को बहुत करेगा;
- (7) प्रत्येक संस्था के लेखा में प्रतिवर्ष ऐसी दरों पर व्याज जमा करेगा जैसी न्यासी और अवधारित करे और ऐसी दर केन्द्रीय गरकार द्वारा समय-समय पर अवधारित की गई दर से कम नहीं होगी;
- (8) उक्त स्थापन के सूचना बोर्ड पर केन्द्रीय ब्लाग यथा अनुमोदित भविष्य नियम और समय-समय पर उसमें किए गए संशोधनों की एक प्रति नया उनकी प्रमुख बातों का अनुवाद भी बहुमध्यक कर्मचारियों की भाषा में संत्रिवेश करेगा;
- (9) यदि स्थापनों के किसी ऐसे वर्ग के लिए जिसमें उक्तका स्थापन आता है, उक्त अधिनियम के अधीन भविष्य निधि में अनुमोदित की दर बढ़ा दी जाती है तो वह भविष्य निधि में अधिदाय की दर में उनकी ही बढ़ि कर देगा जिससे कि उक्त स्थापन की भविष्य निधि स्तर के प्रधीन कायदा उतने से कम हो जाए जितना उक्त अधिनियम के प्रधीन उपबन्धित है;
- (10) प्रतिवर्ष क्षेत्रीय भविष्य निधि आयुक्त दिल्ली को अपनी भविष्य निधि का एक लेखा-परीक्षित तुलनपत्र यथे की समाप्ति से तीन मास के भीतर प्रस्तुत करेगा।

2. यदि ऐसे किसी कर्मचारी को जो उक्त अधिनियम के अधीन कर्मचारी भविष्य निधि या उक्त स्तर (कानूनी निधि) या किसी अन्य छूट प्राप्त स्थापन की भविष्य निधि के प्रधीन कर्मचारी भविष्य निधि का पहले से ही संस्था है, स्थापन में नियोजित किया जाता है तो जिन्याजक उसे उक्त स्थापन की भविष्य निधि का तुरन्त गावस्य बना लेगा और ऐसे कर्मचारी की जाबत पिछले संघर्षों को स्वीकार करेगा और उसके बातों में जमा करेगा।
3. उक्त स्थापन की भविष्य निधि नियमों में कोई भी संशोधन क्षेत्रीय भविष्य निधि आयुक्त, दिल्ली के पूर्व अनुमोदन के बिन नहीं किया जाएगा और यदि किसी संशोधन से उक्त संस्थान के किसी कर्मचारी के हित पर प्रतिकूल प्रभाव पड़ने की संभा बना है तो क्षेत्रीय भविष्य निधि आयुक्त, दिल्ली अपना अनुमोदन देने से पूर्व, कर्मचारियों को अपना वृष्टीकोण प्रकट-करने का उचित अवधि देगा।

[सं. एस०-३५०१४/५९/७९-पी० एफ०-२]

हम राज छावड़ा, उप सचिव

New Delhi, the 21st September, 1979

S.O. 3447.—Whereas Messrs Industrial & Allied Sales Private Limited, 19, Kasturba Gandhi Marg, New Delhi (hereinafter referred to as the said establishment) has applied for exemption under clause (a) of sub-section (1) of Section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) hereinafter referred to as the said Act;

And whereas in the opinion of the Central Government, the rules of the provident fund of the said establishment with respect to the rates of contribution are not less favourable than those specified in section 6 of the said Act, and the employees are also in enjoyment of other provident fund benefits which on the whole are not less favourable to the employees than the benefits provided under the said Act or under the Employees' Provident Funds Scheme, 1952 (hereinafter referred to as the said Scheme) in relation to the employees in any other establishment of a similar character;

Now, therefore, in exercise of the powers conferred by clause (a) of sub-section (1) of section 17 of the said Act, and subject to the conditions specified in the Schedule an-

nexed hereto, the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme.

SCHEDULE

1. The employer in relation to the said establishment:—

- (i) shall provide for such facilities for inspection and pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3) of section 17 of the said Act 15 days from the close of every month;
- (ii) shall comply with the directions issued by the Central Government, from time to time, under clause (a) of sub-section (3) of section 17 of the said Act in regard to the investment of contributions to the provident fund,
- (iii) shall take due care to see that the Board of Trustees constituted in respect of the said establishment invest the contributions to the provident fund in accordance with the directions issued by the Central Government, from time to time, and shall be responsible for such investment of the contributions to the provident fund by the said Board of Trustees;
- (iv) shall submit such returns to the Regional Provident Fund Commissioner, Delhi as the Central Government may, from time to time, direct;
- (v) shall furnish to each employee an annual statement of account or a Pass Book;
- (vi) shall bear all expenses involved in the administration of the provident fund including the maintenance of accounts, submission of accounts and returns, transfer of accumulations and payments of inspection charges;
- (vii) shall credit, every year to the account of each member interest at such rates as may be determined by the Board of Trustees and such rate shall not be less than the one determined by the Central Government from time to time;
- (viii) shall display on the notice board of the said establishment a copy of the rules of the provident fund as approved by the Central Government and, as and when amended, the amendments thereto, along with a translation of the salient points thereof in the language of the majority of the employees;
- (ix) shall enhance the rate of contributions to the provident fund appropriately if such rate for the class of establishments in which his establishment falls is enhanced under the said Act so that the benefits under the provident fund scheme of the said establishment shall not become less favourable than the benefit provided under the said Act;
- (x) shall submit an audited balance sheet of its provident fund every year to the Regional Provident Fund Commissioner, Delhi within three months of the close of the year.

2. Where an employee who is already a member of the Employees' Provident Fund under the said Act or the said Scheme (Statutory Fund) or the provident fund of another exempted establishment is employed in establishment the employer shall immediately enrol him as a member of the provident fund of the said establishment, and accept the past accumulations in respect of such employee and credit the same to his account.

3. No amendment of the rules of the provident fund of the said establishment shall be made without the previous approval of the Regional Provident Fund Commissioner, Delhi and where any amendment is likely to affect adversely the interests of the employees of the said establishment, the Regional Provident Fund Commissioner, Delhi shall, before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

[No. S. 35014/59/79-PF. II]
HANS RAJ CHHABRA, Dy. Secy.

New Delhi, the 30th August, 1979

S.O. 3448.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, New Delhi in the industrial dispute between the employees in relation to the management of Punjab National Bank, Bikaner and their workman over denying the benefit of temporary service from 18-10-1971 to 30-4-1973 towards permanent service of Shri G. P. Khatri, clerk Bikaner Branch of the Bank, which was received by the Central Government on 8-8-1979.

BEFORE SHRI MAHESH CHANDRA, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL CUM-LABOUR COURT, NEW DELHI

I.D. No. 104 of 1978

In re :

The General Secretary, Rajasthan Bank Employees Union C/o Punjab National Bank Jodhpur (Rajasthan)—Petitioner.

Versus

The Regional Manager, Punjab National Bank, 106 Bapu Nagar, University Marg, Jaipur.

PRESENT:

Shri R. L. Khandelwal,—for the Union.
Shri K. K. Gupta—for the management.

AWARD

The Central Government as appropriate Govt. vide its Order No. I-12012/74/77-D. II. A dated the 21st/24th November, 1978 made a reference to this Tribunal u/s 10 of the I.D. Act, 1947;

Whether the action of the management of Punjab National Bank, Bikaner in denying the benefit of temporary service from 18-10-71 to 30-4-73 towards permanent service of Shri G. P. Khatri, Clerk Bikaner Branch of the Bank to which he was appointed on 16-5-73 is legal and justified? If not, to what relief is the workman entitled?

2. On receipt of the reference usual notices were sent to the parties and a statement of claim was filed on behalf of the workman. Thereafter a written statement was also filed. Before any replication could be filed in the case, the Bank Management filed an application before me in which it is stated by the Bank that the parties have arrived at settlement and a no dispute award be made in the case. It was ordered to be recorded in so far as it was beneficial for the workman. The statement of Shri R. L. Khandelwal and Shri K. K. Gupta, the representative of the Union and the Bank Management respectively was recorded in which it is stated by them that 'parties have arrived at a settlement Ex. S/1. An award be passed in terms of Fx. S/1.'

3. In view of the statement recorded above, award is hereby made in the reference and parties are left to bear their own costs. Parties would be bound by terms of Settlement S/1.

Dated : the 30th July, 1979

8th Sravana, 1901.

Sd/-

MAHESH CHANDRA, Presiding Officer
Central Govt. Industrial Tribunal,
New Delhi

[No. I. 12012/74/77-D. II. A]
S. K. MUKHERJEE, Under Secy.

Further Awarded :

That requisite number of copies of this award may be sent to the appropriate Govt. for necessary action at their end.

Dated : the 30th July, 1979.

8th Sravana, 1901.

Sd/-

MAHESH CHANDRA, Presiding Officer
Central Govt. Industrial Tribunal,
New Delhi

PUNJAB NATIONAL BANK

PERSONNEL DIVISION

HEAD OFFICE

5, PARLIAMENT STREET

New Dehi, the 9th May, 1979

TO ALL OFFICES

PERSONNEL DIVISION CIRCULAR NO. 436

Subject : Settlement regarding grant of benefits arising out of temporary service out in by the existing workmen of the Bank.

We enclose a copy of the Settlement dated 5-5-1979 arrived at between the Punjab National Bank and All India PNB Employees' Federation before the Deputy Chief Labour Commissioner (Central) regarding grant of benefits arising out of temporary service put in by the existing workmen of the Bank.

A copy of the Settlement by displayed at the Notice Board of the office immediately on receipt of this circular and a confirmation to this effect be sent to us in the pro forma given below by 21st May, 1979.

Sd/
Chief Personnel

PUNJAB NATIONAL BANK

BRANCH OFFICE/PAY OFFICE/

Department—

The Chief Personnel,
Punjab National Bank,
Head Office,
5, Parliament Street,
New Delhi-110001.

Subject : Settlement regarding grant of benefits arising out of temporary service put in by the existing workmen of the Bank.

We acknowledge the receipt of Personnel Division Circular No. 436 dated 9-5-1979 and confirm having displayed a copy of the Settlement dated 5-5-1979 on the Notice Board of the Branch/Office on—

Dated:—

Manager/Officer Incharge
Branch/Office

FORM 'H'

(See Rule 58)

MEMORANDUM OF SETTLEMENT

Name of the Parties :—

Representing Employers :

- Shri K. G. Sapra, Deputy General Manager, (Administration), Punjab National Bank, Head Office, New Delhi.
- Shri H. C. Jain, Manager, Personnel Division, Punjab National Bank, Head Office, New Delhi.

Representing Employees :

1. Shri P. N. Tewari, President, All India PNB Employees' Federation, Post Box 10005, PNB House, Bombay.
2. Shri D. P. Chadha, General Secretary, All India PNB Employees' Federation, Post Box 10005, PNB House, Bombay.

SHORT RECITAL OF THE CASE

Whereas the All India Punjab National Bank Employees Federation, vide its letter dated 16th August, 1978, raised a demand over the regularisation of past temporary services of the workmen and consequential benefits arising therefore on the ground that the temporary services were continued for a number of years by creating breaks without payment of retrenchment compensation and that it has been held by the Supreme Court in the case of State Bank of India Vs. Sundra Money 1976 I LLJ 478 and two other subsequent judgments that such type of termination of service is 'retrenchment' within the meaning of Section 2(oo) of the Industrial Disputes Act and the Federation demanded that the employees are entitled to inclusion of their temporary service into permanent one and all other benefits like refixation of salary, payment of salary for the period of breaks, graded increment, payment of bonus, provident fund contribution, inclusion of service for gratuity purposes etc.

And whereas the Bank has contended as follows :—

(i) That directions on the question of temporary employees have been given in the Sastry Award as modified by LAT and the Desai Award and certain provisions were also made thereto under the terms of the Bipartite Settlement dated 19th October, 1966 applicable to the Banking Industry and that the employment of temporary employees in different categories by the Bank was in accordance with the provisions of the Awards/Bipartite Settlements applicable to the industry.

(ii) That Bipartite Settlement of 1966 also provided for absorption of temporary employees on regular basis in paras 20.9, 20.10 and 20.11 and such of the temporary employees who became eligible for absorption as probationer/confirmed employee in terms thereof were brought on regular basis by the Bank.

(iii) That certain disputes arose on the question of temporary employees in the clerical cadre and these were settled between the Bank and the All India Punjab National Bank Employees Federation by Settlement dated 13th July, 1972 followed by letters between the parties which provided as under :—

- (a) that the institution of employing temporary employees in the clerical cadre shall be discontinued and the Bank shall provide leave reserving to work in stop-gap arrangements.
- (b) That the existing temporary employees shall be given the job test/general recruitment test whereafter they shall be interviewed and those ultimately selected shall be absorbed in permanent service of the Bank.
- (c) That those fail to qualify in the prescribed test or fail in the interview, their services shall stand automatically terminated and they will have no claim to any kind, in any shape or form thereof.

(iv) That certain problems, difficulties and disputes arose relating to temporary employees in the subordinate cadre and the same were settled under a Settlement dated 1-8-1977 arrived at between the Bank and the Federation.

(v) That the present claim as now made by the Federation, if it existed as it did, before the First Bipartite Settlement dated 19-10-1966 must be deemed to have been settled by the 1st Bipartite Settlement and later on by the Settlements dated 13th July, 1972 and 1-8-1977 referred to above.

(vi) That the claim must be deemed to be belated and stale.

(vii) That the claim is not tenable keeping in view the provisions of the Awards/Bipartite settlements applicable to the industry and the Settlements dated 13th July, 1972 and 1-8-1977 arrived at between the Bank and the Federation.

And whereas the Federation raised an Industrial dispute and the Dy. Chief Labour Commissioner (Central), in his capacity as conciliator was requested to intervene and bring about an amicable settlement.

And, therefore, the Dy. Chief Labour Commissioner (Central), New Delhi held discussions with the representatives of both the parties on 28-4-1979 and 5-5-1979. He subsequently held conciliation proceedings in respect of the instant industrial dispute in his office on 5-5-1979 at 4.50 P.M. in which the representatives of both the parties participated. As a result of his persuasion, the instant industrial dispute has been amicably settled between the parties on the following terms :—

TERMS OF SETTLEMENT

No. 1 : It is agreed that the Management of Punjab National Bank (hereinafter referred to as Management) shall allow one additional increment in the respective scales of pay and also pay Dearness Allowance thereon with retrospective effect from April 1, 1978 to only such of their workmen as were appointed on temporary basis but were subsequently appointed either on permanent basis or as probationer on or after January 1, 1966 and had also put in minimum 240 days or more of temporary service for which wages had been paid during any 12 consecutive months prior to their appointment either on permanent basis or as probationer.

No. 2 : The management shall allow two increments in the respective scales of pay and also pay Dearness Allowance thereon with retrospective effect from April 1, 1978 to only such of the workmen as had been appointed on temporary basis but were subsequently appointed either on permanent basis or as probationer on or after January 1, 1966 and had put in minimum 240 days of temporary service during any 12 consecutive months for which wages had been paid and had put in not less than 730 days service for which wages had been paid till their appointment either on permanent basis or as probationer.

No. 3 : It is agreed that computation of 240 days or 730 days or more of temporary service as the case may be, for the purposes of this settlement shall include weekly holidays and public holidays declared under the Negotiable Instruments Act intervening the continuous days of temporary service, as the case may be, irrespective of the fact whether wages for such weekly holidays or public holidays were paid or not. For clarity and removal of doubts if any, following illustration is given :—

If a workman had put in temporary service, say from January 19, 1970 to January 30, 1970 at a stretch, the Sunday and the public holiday, i.e., January 25 and January 26, 1970, respectively falling during that period shall be taken into account for the purpose of computation of temporary service, irrespective of the fact whether concerned workman was paid for those weekly holiday and public holiday or not. However, if the same workman had not worked on temporary basis from January 31, 1970 to February 12, 1970, this period as well as weekly holiday falling in between that period shall not be taken into account for computation of 240 days or 730 days or more of temporary service, as the case may be.

No. 4(i) Such of the workmen as were appointed temporarily but were subsequently appointed either on permanent basis or as probationer on or after January 1, 1966 and had been granted the benefit of increment in their respective scales of pay during the temporary service put in by them, but were given only the initial basic pay in the relevant scale of pay at the time of their appointment either on permanent basis or as probationer, shall be allowed by the management the benefit of increments in their respective scales of pay which had been earlier granted to them during their respective temporary service ; and shall accordingly refix their basic pay in their respective scales of pay with retrospective effect from April 1, 1978.

No. 4(ii) Such of the workmen as are entitled to benefits under term No. 4(i) above shall not be entitled to additional benefits either under term No. 1 or term No. 2 of the settlement; provided further that in any case where any workman concerned is entitled to two increments under term No. 2 of the settlement, but is entitled to only one increment in pursuance of term No. 4(i) of the settlement, that workman shall be given only two increments as envisaged in term No. 2 of the settlement.

No. 5 It is agreed that such of the workmen as were initially appointed on temporary basis and were subsequently appointed either on permanent basis or as probationer and were either given initial basic pay in the respective scales of pay at the time of their appointment either on permanent basis, or as probationers but were subsequently given additional increment/increments in the same scales of pay, or were given higher starting basic or as probationer, the relevant additional increment or increments, as the case may be, will be adjusted against the additional increment or increments payable to them in pursuance of terms No. 1, 2 and 4(i) of this settlement.

No. 6 The benefit of additional increment or increments in the respective scales of pay of the workman concerned as per terms No. 1, 2, 4(i) and 4(ii) of this settlement shall not be available to the following :—

(a) Such of the workmen in the Subordinate Cadre as had been initially appointed on temporary basis but were subsequently appointed on permanent basis as per term No. 1 and 2 of the settlement dated August 1, 1977, arrived at between the parties during the course of conciliation proceedings held by Dy. Chief Labour Commissioner (Central), New Delhi (Copy enclosed as Annexure I) and also such of the workmen as had been allowed one increment a full term. No. 3 of the same settlement.

(b) Such of the workmen as were appointed initially on temporary basis but were subsequently appointed on permanent basis or as probationers and had reached the ceiling of their respective scales of pay of either clerical or subordinate staff at any time before April 1, 1978.

No. 7 It is agreed that the arrears of difference of wages payable in pursuance of terms No. 1, 2, 4(i) and 4(ii) of this Settlement shall be payable with retrospective effect from April 1, 1978, only and for computation of such difference of wages, only following items shall be taken into account, namely :—

- (i) Basic pay ;
- (ii) Dearness Allowance ;
- (iii) City Compensatory Allowance and House Rent Allowance ; and
- (iv) Extra contribution by the bank on account of provident fund.

No. 8 It is agreed that additional increment or increments payable in pursuance of this Settlement shall be treated as ad-hoc increment and shall be ignored for the purpose of determination of length of service to be calculated for the purpose of priority list to be prepared in pursuance of mutual settlement between parties reached on June 16, 1973 as amended, relevant extract of which is enclosed vide Annexure II. Such increment or increments will not disturb the existing anniversary date of increment.

No. 9 It is agreed that this Settlement is in full and final settlement of the claims of the workmen who were initially appointed on temporary basis but were subsequently appointed either on permanent basis or on probation and are on the rolls of the Bank, relating to their temporary services. Those workmen will have no claim whatsoever in any shape or in any form excepting those accruing in pursuance of this Settlement.

No. 10 It is agreed that the management shall display a copy of this settlement at each of the Notice Boards at different branches/offices of the Punjab National Bank throughout the country latest by 31st May, 1979.

No. 11 It is agreed that workman concerned entitled to benefits under this Settlement shall apply in writing in the proforma enclosed vide Annexure-III to the respective Regional Managers/Chief Managers/Divisional Chiefs of the

Punjab National Bank so as to reach them latest by July 31, 1979.

No. 12 It is agreed that this Settlement shall not cover the cases of such of the workmen as were appointed initially on temporary basis but were subsequently appointed either on permanent basis or as probationer whose demands relating to the regularisation of their service, and consequential benefits thereon are pending adjudication as on date.

No. 13 The Management shall implement the terms of the Settlement and pay the arrears of dues payable to the workman concerned in pursuance of this settlement latest by October 31, 1979.

No. 14 Both the parties agreed to submit separately report on implementation of the Settlement so as to reach the Dy. Chief Labour Commissioner (Central) New Delhi latest by 31-12-1979, failing which it will be presumed that the Settlement has been fully implemented.

Representing Employer :

1. Sd./-
(K. G. Sapra)
5-5-79
2. Sd./-
(H. C. Jain)
5-5-79

Representing Workmen :

1. Sd./-
(P. N. Tewari)
5-5-79
2. Sd./-
(D. P. Chadha)
5-5-79

WITNESSES

1. Sd./-
(A. Roy Choudhary)
5-5-79
Manager
Industrial Relations,
Personnel Division,
Punjab National Bank,
Head Office New Delhi.

Asstt. Secretary,
All India PNB Employees
Federation, PNB House,
Bombay

1. Sd./-
(K. R. Nagpal)
5-5-79

Sd./-
(K. SHARAN)
5-5-79

Deputy Chief Labour Commissioner (Central)
and Conciliation Officer
New Delhi, the 5th May, 1979

Annexure-I

FORM 'H' (See Rule 58)

MEMORANDUM OF SETTLEMENT

Name of the Parties:

Representing Employer :

1. Shri S. N. Gupta,
Deputy Chief,
Personnel Division,
Punjab National Bank,
H.O., New Delhi.

2. Shri H. C. Jain,
Manager,
Industrial Relations,
Personnel Division,
Punjab National Bank,
H.O., New Delhi.

Representing Employees :

1. Shri P. N. Tewari,
President,
All India PNB Employees'
Federation, Post Box 10005,
PNB House, Bombay.
2. Shri D. P. Chadha,
General Secretary,
All India PNB Employees,
Federation, Post Box 10005,
PNB House, Bombay.

SHORT RECAPITAL OF THE CASE

Whereas the parties discussed the issue of permanent absorption of temporary workmen in the subordinate cadre with special reference to the fact that some of them have put in temporary service for considerably long periods and the implications of judgment of the Supreme Court of India in Hindustan Steel Limited versus State of Orissa.

And whereas the Deputy Chief Labour Commissioner (Central) in his capacity as conciliator was requested to intervene and bring about an amicable settlement :

The parties have mutually arrived at the settlement described below in the conciliation proceedings before Deputy Chief Labour Commissioner (Central), who has found it reasonable and fair.

TERMS OF SETTLEMENT

1. That all temporary workmen in the subordinate cadre, who, till the date of this settlement,

- (i) have worked for 240 days or more for which wages have been paid to them;
- (ii) are medically fit as evidenced by a certificate from registered Medical Practitioner not below the rank of an M.B.B.S unless such a medical certificate has already been submitted;

shall be appointed permanently as confirmed employees in the service of the Bank at an initial basic pay of Rs. 116 p.m. on their making an application in writing latest by 15-9-1977 on the proforma appearing as Annexure A to the settlement.

2. That out of the employees appointed in terms of para 1 above, those who have put in 240 days or more of temporary service for which wages have been paid during any 12 consecutive months, shall be given a higher start of one increment on appointment i.e. a basic pay of Rs. 115 p.m. on making an application in writing as per Annexure B by 15-9-1977.

3. That such of the temporary employees appointed permanently in the subordinate cadre from 1-1-1976 to the settlement who had put in 240 days or more of temporary service for which wages have been paid during any 12 consecutive months since 1-1-1971 to the date of his appointment as probationer, shall be allowed one additional increment from the date of the settlement on making an application in writing as per Annexure 15-9-1977.

4. That the employees referred to in clauses 1 and 2 above shall be posted as far as possible at or near stations of their temporary work but can be posted out stations and/or regions according to the availability of vacancies.

5. That the management shall implement the terms of settlement not later than 31-12-1977.

6. It is understood that employment of temporary employees in future will depend upon exigencies of bank work and for future employment of subordinate staff. Preference will be given to those temporary employees who are on the panel of the Bank on the date of this settlement on the existing basis.

7. That this is in full and final settlement of all claims for the past period and disputes of all temporary workmen in the subordinate cadre covered by this settlement relating to the termination of their service or back wages or non-payment of retrenchment compensation on their absorption in the permanent employment of the Bank, and the workmen will not raise any industrial dispute whether by themselves or through any union nor claim any rights or benefits in any shape or form.

8. The settlement shall not be quoted as a precedent.

SIGNATURE OF THE PARTIES

Representing Employer :

Representing Employees :

1. Sd/-
(S. N. Gupta)

2. Sd/-
(H. C. Jain)

1. Sd/-
(P. N. Tewari)

2. Sd/-
(D. P. Chadha)

WITNESSES

1. Sd/-
(R. Ajmani)
Manager,
Personnel Division,
Punjab National Bank,
HO New Delhi.

2. Sd/-
(S. K. Gupta)
Sr. Per. Officer,
Personnel Division,
Punjab National Bank,
HO New Delhi.

1. Sd/-
(P. R. Bhatia)
Vice President,
All India PNB Employees
Federation, PNB House,
Bombay.

2. Sd/-
(K. R. Nagpal)
Asstt. Secretary,
All India PNB Employees
Federation, PNB House,
Bombay.

Dated : 1st August, 1977

Sd/-

Signatures of the Deputy Chief Labour Commissioner (Central)

(V. P. GUPTA)

Deputy Chief Labour Commissioner (C)
Office of the Chief Labour Commissioner (C)

New Delhi Tel : 383807

ANNEXURE A

The Regional Manager,
Region.

Dear Sir,

Please refer to Settlement dated August 1, 1977 arrived at between the Bank and the All India PNB Employees' Federation regarding absorption of temporary employees in the subordinate.

In terms of clause 1 thereof, I request that I may be absorbed as a confirmed employee in the Bank service. I have worked as a temporary employee in the subordinate cadre for 240 days for which wages were paid. The details of temporary service put in by me are as under :

I hereby declare that I shall be bound by the terms and conditions contained in the Settlement under reference and undertake that I shall have no claim with the Bank by way of dues, reinstatement or any other claim whatsoever in respect of temporary service.

Yours faithfully,

()

Note : Certificates issued to the applicants by Incumbents Incharge in respect of their temporary service be enclosed wherever available.

ANNEXURE B

The Regional Manager,

Region.

Dear Sir,

Please refer to settlement dated August 1, 1977 arrived at between the Bank and the All India PNB Employees' Federation regarding absorption of temporary employees in the subordinate cadre.

I have worked for 240 days in 12 consecutive calendar months and the details of the temporary service put in by me are as under :—

In terms of clause 2 of the settlement, I request that I may be appointed as a confirmed employee on a basic of Rs. 110.

I hereby declare that I shall be bound by the terms and conditions contained in the Settlement under reference and undertake that I shall have no claim with the Bank by way of dues, reinstatement or any other claim whatsoever in respect of temporary service.

Yours faithfully,

()

Note : Certificates issued to the applicants by Incumbents Incharge in respect of their temporary service be enclosed, wherever available.

ANNEXURE C

The Regional Manager,

Region,

Dear Sir,

Please refer to settlement dated August 1, 1977 arrived at between the Bank and the All India PNB Employees' Federation regarding absorption of temporary employees in the subordinate cadre.

That I was appointed as a probationer on _____ and during the 12 consecutive calendar months from 1-1-1974 to the date of my appointment, I have put in 240 days for which wages were paid. The details of temporary service are given below :

As provided in the Settlement, I may be allowed an additional increment in the scale applicable to subordinate cadre from the date of the Settlement.

I hereby declare that I shall be bound by the terms and conditions contained in the settlement under reference and undertake that I shall have no claim with the Bank by way of dues, reinstatement or any other claim whatsoever in respect of temporary service.

Yours faithfully,

()

Note : Certificates issued to the applicants by Incumbents Incharge in respect of their temporary service be enclosed wherever available.

ANNEXURE II

RELEVANT EXTRACT FROM THE PROMOTION POLICY SETTLEMENT NO. 2 OF 1973 DATED 16TH JUNE, 1973 ARRIVED AT BETWEEN THE BANK AND THE ALL INDIA PUNJAB NATIONAL BANK EMPLOYEES FEDERATION

2. Length of Service.

(a) One mark shall be given for each completed year of service in the bank in clerical cadre (excluding period of apprenticeship and work in non-clerical posts) from the date of appointment as probationer with a maximum of 25 marks.

(b) The amount of higher initial start and/or extra increments granted before 31-1-1950 shall be converted into marks by dividing the amount by Rs. 5 (fraction to be rounded off to the nearest integer).

(c) The amount of higher initial start and/or extra increments granted after 31-1-1950 shall be converted into marks by splitting the amount into the normal rates of increments admissible at the relevant time (fractions to be ignored).

(d) ad-hoc group increments or increments for other than good work shall be ignored.

(e) One mark shall be deducted for every increment with-hold as a result of disciplinary action.

(f) Leave without pay shall be deducted from total length of service only in those cases where increments have also been deferred for such periods of leave on loss of pay. The Regional Manager/Divisional Chief.

ANNEXURE III

The Regional Manager/Divisional Chief

Region/Division.

Dear Sir,

Please refer to the settlement dated 5-5-79 arrived at between the Bank and the All India Punjab National Bank Employees Federation before the Dy. Chief Labour Commissioner (Central) regarding grant of benefits arising out of temporary services put in by the existing workmen of the Bank.

2. I have worked on temporary basis or not less than 240 days in 12 consecutive calendar months.

OR

I have worked on temporary basis for not less than 240 days in 12 consecutive calendar months and the total period of temporary services put in by me before my appointment on permanent basis or as probationer is not less than 730 days.

(Delete whichever is not applicable)

3. While I had worked on temporary basis before my appointment on permanent basis or as probationer, I was not granted any increment/was granted _____ increments during the period of my temporary service. However, at the time of regular absorption in the bank service on _____.

I was appointed only on the initial basic pay of Rs. _____ in the scale.

4. The details of temporary service put in by me are as under :—

Month	Year	No. of days of temporary service	No. of intervening weekly holidays & public holidays	Branch/Pay office
1	2	3	4	5
1.				
2.				
3.				
Grand Total				
(Column 3 & 4)				

*Add weekly holidays and public holidays declared under Negotiable Instruments Act intervening the continuous days of temporary service in terms of clause 3 and illustrations thereto of the settlement provided those are not already included in the period under Column No. 3.

5. I hereby declare:

(a) that I was neither absorbed on regular basis in terms of settlement dated 1-8-1977 arrived at between the Bank and the Federation nor was allowed the benefit of increment in terms thereof i.e. the settlement dated 1-8-1977.

(b) that at the time of my appointment as probationer or on permanent basis I was not given the higher starting salary nor I was given additional increment/increments subsequent to my regular appointment in consideration of temporary service put in by me.

(c) that I did not reach the ceiling of the scales of pay off clerical/subordinate staff at any time before April 1, 1978.

That benefit of increment/increments admissible to me under this settlement be allowed.

Yours faithfully,
Name: _____
Designation: _____
Present Branch/Office: _____

Dated: _____

NOTE: (1) Delete whichever is not applicable.

(2) The copies of the certificates, if any, in respect of temporary service be enclosed.

[No. L-12012/74/77.D.II.A.]

New Delhi, the 21st September, 1979

S.O. 3449.—In pursuance of section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Bhubaneswar, Orissa in the industrial dispute between the employers in relation to the management of Allahabad Bank, Rourkela Branch and their workman over non-confirmation of Shri Nirod Chandra Roy as Peon-cum-Watchman, which was received by the Central Government on 20-9-79.

INDUSTRIAL TRIBUNAL, BHUBANESWAR

PRESENT :

Shri M. V. Gangaraju, B.A., B.L., Presiding Officer, Industrial Tribunal, Bhubaneswar.

Industrial Dispute Case No. 1 (Central) of 1979

Bhubanewar, Dated, the 4th September, 1979

BETWEEN

The employers in relation to the management of Allahabad Bank, Rourkela Branch.—First party

AND

Their workman Shri Nirod Chandra Roy.—Second party

APPEARANCES :

For the first-party management.

Shri M. R. Sarbadhikari, Law Officer, Allahabad Bank.

Shri J. P. Gupta, Area Manager, Allahabad Bank

For the second party workman :

Shri Nirod Chandra Roy.

Shri Niranjan Mishra, General Secretary, All-Orissa Allahabad Bank Employees' Union.

AWARD

In exercise of the powers conferred by Section 7-A and Clause (d) of Sub-section (1) of Section 10 of the Industrial Disputes Act, 1947, the Government of India in the Ministry of Labour have referred the following dispute to this Tribunal for adjudication in their Order No. L-12012/88/78-D. II.A. dated 2-3-1979 :

"Whether the action of the management of the Rourkela Branch of the Allahabad Bank in not confirming in service Shri Nirod Chandra Roy as Peon-cum-Watchman is justified ? If not, to what relief is the workman concerned entitled ?"

2. Today, i.e. on 4-9-1979, when the case was called on for further hearing, both the parties filed a joint petition along with a Memorandum of Settlement stating that they had settled the dispute amicably out of court and they prayed to pass an Award in terms of the settlement. Both the

parties admitted the terms of the settlement before this Tribunal and stated that they entered into the settlement without any coercion or duress in the interests of industrial peace and harmony.

3. Hence I pass this Award in terms of the settlement and the memorandum of settlement do form part of the Award.

Sd/-

M. V. GANGARAJU, Presiding Officer,
Industrial Tribunal, Bhubaneswar.

FORM H

(See Rule 58)

FORM FOR MEMORANDUM OF SETTLEMENT

Representing employer(s) :

Shri Manab Ranjan Sarbadhikari Law Officer, Allahabad Bank.

Representing workmen :

Shri Niranjan Mishra, General Secretary, All Orissa Allahabad Bank Employees' Union.

Short recital of the case

1. The Government of India in the Ministry of Labour, New Delhi in their Order dated 2nd March, 1979, have referred the dispute as to whether the action of the management of the Rourkela Branch of the Allahabad Bank in not confirming in service Shri Nirod Chandra Roy as Peon-cum-Watchman is justified ? If not, to what relief is the workman concerned entitled ? The aforesaid dispute is pending before the Hon'ble Industrial Tribunal, Bhubaneswar for adjudication in Industrial Dispute Case No. 1 (Central) of 1979.

TERMS OF SETTLEMENT

2. That the Management of Allahabad Bank and the workman Shri N. C. Roy through All-Orissa Allahabad Bank Employees' Union after mutual discussion have arrived at a Settlement outside the Tribunal to settle the instant dispute amicably, on the following terms and conditions :

- (i) That Shri N. C. Roy would be absorbed in Bank's Service as Peon-cum-Farrash with effect from 1-7-1977.
- (ii) That he would tender resignation from the post of part-time Sweeper with effect from 30-6-1977.
- (iii) That all benefits due to the Peon-cum-Farrash as per the existing norms of the Bank and the bipartite settlement would be available to Shri N. C. Roy with effect from 1-7-1977.
- (iv) That Shri N. C. Roy continues working in Rourkela Branch in supernumerary capacity till he is posted in earliest future available vacancy, and he would proceed to join the said vacancy immediately on receipt of the Order.

3. Beside the above, Shri N. C. Roy will have no other claim with the Bank, and his service condition would be governed as per the existing service condition of Peon-cum-Farrash in Bank as well as Bipartite Settlement.

4. Since the Management agrees to absorb Shri N. C. Roy in Bank's service as Peon-cum-Farrash on the aforesaid terms

and conditions and the workman Shri Roy also agrees to be absorbed in Bank's service accordingly, it is submitted that there is no need of pursuing the above case any further.

Signature of the parties

Sd/- Illegible,

Law Officer, 4-9-1979
Allahabad Bank

Witnesses :—

1. (J. P. Gupta)
Area Manager,
Allahabad Bank, BBSR
4-9-79

2. Niranjan Mishra, Gen Secy.

Sd/- Illegible.
4-9-79

[No. L-12012/88/78-D.II.A]

S.O. 3450.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, New Delhi in the industrial dispute between the employers in relation to the management of Punjab National Bank, Ludhiana and their workmen over transfer of Shri Sat Paul Aggarwal, Clerk from Chaura Bazar at Ludhiana to Mall Road Branch of the Bank of Patiala on his promotion as a Special Assistant and debarring him from officiating as a Special Assistant, which was received by the Central Government on 11-9-1979.

BEFORE SHRI MAHESH CHANDRA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, NEW DELHI

I. D. No. 39 of 1979

BETWEEN

The General Secretary,
Association of Punjab National Bank Employees'
Basco Building, Civil Lines,
Jullundur City.

AND

The Regional Manager,
Punjab National Bank,
39, Sharaba Nagar, Ludhiana.

AWARD

The Central Government as appropriate Government made a reference u/s 10 of the I. D. Act, 1947 in the following terms vide their order No. I-12011/39/78-D.II(A) dated the 9th July, 1979 to this Tribunal :

Whether the actions of the management of the Punjab National Bank, Ludhiana in transferring Shri Sat Paul Aggarwal, Clerk at branch office at Chaura Bazar at Ludhiana to Mall Road Branch of the Bank at Patiala, on his promotion as a Special Assistant and debarring him from officiating as a Special Assistant for one year because of his failure to join at Mall Road branch of the bank are justified? If not, to what relief is he entitled?

2. After this reference was received usual notices were issued to the parties and in pursuance thereof party's representative appeared before me and have come forward with a statement on the 1st of September, 1979 which read as under :

'Parties have compromised. A no dispute award be made. We tender Ex. S/1'

3. In view of the statement recorded above, and in view of settlement Ex. S/1 a no dispute award is hereby made in this matter. Parties are left to bear their own costs.

MAHESH CHANDRA, Presiding Officer

Dated : the 5th September, 1979

Further Awarded :

That requisite number of copies of this award may be sent to the appropriate Government for necessary action at their end.

Sd/-

MAHESH CHANDRA, Presiding Officer

Dated : the 5th September, 1979.

[No. 12011/39/75-D.II.A]

S. K. MUKHERJEE, Under Secy.

New Delhi, the 14th September, 1979

S.O. 3451.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Dhanbad, in the industrial dispute between the employers in relation to the management of Dugda Coal Washery of Messrs Hindustan Steel Limited, Post Office Dugda, District Giridih and their workmen, which was received by the Central Government on the 11th September, 1979.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (No. 2) AT DHANBAD

PRESENT :

Shri J. P. Singh,—Presiding Officer.

Reference No. 68 of 1979

In the matter of an industrial dispute under S. 10(1)(d) of the Industrial Disputes Act, 1947.

PARTIES :

Employers in relation to the management of Dugda Coal Washery of Messrs Hindustan Steel Limited, Post Office Dugda, District Giridih.

AND

Their workmen.

APPEARANCES :

On behalf of the employers.—Shri T. P. Choudhury, Advocate.

On behalf of the workmen.—Shri D. Mukherjee, Advocate.

State : Bihar.

INDUSTRY : Coal

Dhanbad, 6th September, 1979

AWARD

This is a reference under S. 10(1)(d) of the I.D. Act, 1947. The Central Government by notification No. L-20012/246/75-DIIA dated 4th April, 1977 has made this reference to this Tribunal for adjudication of a matter on the following terms :

SCHEDULE

"Whether the action of the management of Dugda Coal Washery of Messrs Hindustan Steel Limited, Post Office Dugda, District Giridih, in dismissing Shri Sitaram Mahato, unskilled worker from service with effect from 26th August, 1974, is justified? If not, to what relief is the said workman entitled?"

Shri Sitaram Mahato who has been dismissed by the management of Dugda Coal Washery of Messrs Hindustan Steel Limited happened to be the Vice President of the Dugda Branch of the Bihar Colliery Kamgar Union. He was an unskilled workman in the Dugda Coal washery. On 14.12.73 a charge sheet was served on Sitaram Mahato and two others belonging to the same union alleging that they had assaulted Shri S. K. Jha, Assistant Personnel Officer. The workmen submitted their explanations and then a departmental enquiry was held. Sitaram Mahato was found to be guilty of the charges and was dismissed.

The case of the management in brief is that at about 9.45 A.M. Shri S. K. Jha, A.P.O. was going to see the washery manager inside the washery premises in car No BRW 6618. It was stopped by C.I.T.U supporters and contractors workmen near C.I.T.U union office and the car was surrounded among others by Shri Sitaram Mahato, Brahma-deo Mahato and Shri Ramdeo Mahato. Shri Sitaram Mahato forcibly opened the door of the car and Shri Jha was dragged out by Shri Brahma-deo Mahato and Shri Ramdeo Mahato. Then all the three assaulted Shri Jha with lathi on his head and arm. Shri Jha was thereafter dragged to a room and locked from outside. In the room the delinquent workmen had forced Shri Jha to sign on a letter pad stating that the had sustained injuries in the car accident. Shri Jha was thereafter released and went to the hospital to receive first aid treatment.

The domestic enquiry against the aforesaid three workmen had been conducted by Shri P. R. Rakshit, an Advocate of Dhanbad. The washery concerned is situated in the district of Giridih. The enquiry had to be conducted ex parte because the workmen and their union insisted that the enquiry should not be conducted by a lawyer as it was against the spirit of the S.O. 31(ii) of the Company's standing orders. They also insisted with the management that since they were wrongly charge-sheeted, the proceedings should be dropped and suspension order lifted. The management did not accept their contention and therefore Shri Rakshit, the Advocate conducted the enquiry in which the workmen concerned did not participate.

This case had been pending before the Central Government Industrial Tribunal (No. 3) Dhanbad and the learned Tribunal after hearing the parties on preliminary point as to whether the domestic enquiry was fair and proper, came to a conclusion that it was fair and proper. I have heard thereafter the case on merit. The learned Advocate appearing on behalf of the management has argued before me that the Labour Ministry, Government of India had made this Reference after having once rejected in the past. His contention had been that his should not have been done without giving proper opportunity to the management to state their own case. In the course of argument it was however conceded that since this is a reference of an industrial dispute to a tribunal this is within the administrative competence of the Ministry. It does not ipso facto becomes bad for the reason that the reference was once rejected by the Ministry. Now this being the position it is not necessary to dwell on this subject any more. Suffice it to say that on the authority of the Supreme Court decisions it is well settled that the Government was competent to make a reference in spite of having rejected it earlier.

The next point that had been taken is that in the schedule of the reference the words used are "in dismissing Shri Sitaram Mahato". The management's contention is that Shri Sitaram Mahato was not dismissed but was simply removed from service as distinction is sought to be made between removal and dismissal. A copy of the standing orders for Dugda Coal washery of Messrs Hindustan Steel Ltd. has been placed on the record of this case. Order 30 provides for penalties or misconduct. Clause 2(c) of this order deals with removal from service specifying that such removal does not disqualify for future employment. Clause 2(d) of the order deals with dismissal from service which disqualifies for future employment. The ordinary meaning of dismissal is removal from service; the only distinction is made that in the case of the removal the workman stands a chance for future employment while in the case of dismissal he does not get any such chance. It has been aptly contended on behalf of the workmen that since the workmen are employees in a coal industry which is now owned by the Government itself, the workmen could hardly stand any chance of being re-employed. The real effect of removal from service would therefore amount to dismissal. Now whatever the position might be, we are concerned with the dispute raised in this case on behalf of the workmen that their removal from service was unjust. The mention of the word "dismissal" in the schedule of the reference therefore cannot be said to vitiate the reference and the proceedings of this case.

It has been contended on behalf of the workmen that the domestic enquiry and the dismissal thereafter has been vitiated on account of the attitude of the management which was determined to see that the office bearers of the Bihar Colliery

Kamgar Union should be sacked. At initial stage also it had been contended that the domestic enquiry should not have been done by a hired lawyer because the standing orders prohibits such a course of action. Order 31(ii) read as follows :

"Where an employee is charged with an offence which may lead to the imposition of a major penalty, he shall be informed in writing of the allegations against him and shall be given an opportunity to make representation within a period of not less than 7 days. On receipt of the employee's explanation, where his allegations are denied by him an enquiry shall be held by an officer or officers nominated by the management. Such enquiry will be conducted by an officer other than the officer who has either reported the alleged misconduct or has issued the charge-sheet. At the enquiry, the employee concerned shall be afforded reasonable opportunity of explaining and defending his action with the assistance of a fellow employee. Where such enquiry, relates to the alleged misconduct of several employees the enquiry may be held for all the employees together. Copies of all relevant documents in connection with the evidence such as enquiry proceedings, findings of the enquiry officer etc. shall be supplied by the management to the employees concerned on request".

The learned Central Government Industrial Tribunal (No. 3) Dhanbad who heard the matter on preliminary point of domestic enquiry made the following observation :

Further is is submitted that the minute the management appointed Shri Rakshit "Enquiry Officer" during the course of the enquiry Shri Rakshit should be deemed to be an officer of the company, just as an Advocate appointed by a Civil or Criminal court as a Receiver or Commissioner. Sri Mukherjee relied upon the decision of Mr. K. K. Sarkar, Presiding Officer of C.G.I.T.-cum-Labour Court No. 2, Dhanbad rendered in L.C. Case No. 2/75 wherein the identical question fell to be considered. The learned Judge accepted the contention now sought to be advanced on behalf of the workman herein. With great respect I beg to differ from this view. I hold that there is nothing wrong in Shri Rakshit MW-1 being appointed as an Enquiry Officer.

This matter has accordingly been disposed of and since the order on the preliminary point will be deemed to be an order of this court, I have no intention to differ from the above fact. Yet, I have to mention that we cannot get away from this fact that the workmen and their union always insisted that some officer of the company should conduct the departmental proceeding and their objection to Shri Rakshit conducting the proceeding was so severe that they had to boycott the proceeding altogether. I fail to understand why the management could not appoint officers of their own company or that of a sister concern to conduct the domestic enquiry especially when serious objections were raised by the workmen and on their behalf by the union to the appointment of Shri Rakshit as the enquiry officer. The consequent result had been that enquiry had to be conducted ex parte. It is under this set up that we have to clearly examine the evidence in order to see if proper conclusion had been drawn by the enquiry officer in his report to the management in consideration of which the management had passed the removal order in respect of Shri Sitaram Mahato. I have to say this in view of the contention raised on behalf of the workmen that the enquiry officer while dealing with the case of the workmen has followed a double standard and has therefore made a vital error in coming to a conclusion that Shri Sitaram Mahato was guilty of the charges.

The enquiry officer recorded the evidence of the management's witnesses. The first witness is Shri R. S. Verma, Senior Personnel Officer. He is not a witness on the point of occurrence. The next witness is Shri G. R. Sen, the driver of the car in which Shri Jha was going. His evidence is on 13-12-1973 at about 9.45 A.M. when he was taking Shri S. K. Jha in car No. BRW 6618 he found many people near C.I.T.U. office. They were on the road and stopped the

car. Thereafter he says that the persons who stopped the car were contractors people coming from the neighbouring villages. They also asked him to park the car near C.I.T.U. office. He speaks about the presence of S/Shri Sitaram Mehato, Ramdeo Mahato and Brahmdeo Mahato. He found Shri Jha keeping his hand on his head which was bleeding at the lathi blow of Sri Sitaram. He did not see that the aforesaid persons kept Shri Jha in the lock and key in the C.I.T.U. office. He also saw that Sitaram Mahato got something written by Shri Jha under some duress. Another peon, who was in the car, Ranjit Singh went running to inform the manager about it. The witness has said that when the occurrence was going on one Shri Mitra, A.O.S.T. tried to intervene but the people went on threatening him. Now according to this witness he had seen the occurrence from the beginning to the end and as he was present at the time of occurrence, he is expected to see the entire occurrence. The learned enquiring officer put him some questions and his evidence is that operators and other workers were in the pan shop hereby and the washery workers were also coming and going that way. The enquiry officer specifically asked whether he had seen Sitaram Mahato, Ramdeo Mahato and Brahmdeo Mahato assaulting Shri S. K. Jha and his reply is as the car was surrounded by many persons he could not see who had assaulted Shri Jha with lathi. This witness therefore contradicts his evidence in examination-in-chief where he says that Sitaram Mahato had given lathi blow on the head of Shri S. K. Jha. He does not say anything about Shri Jha being dragged out of the car. From his evidence it appears that the assault took place near the car. It is strange that he did not see whether Shri Jha was assaulted when he was in the car or had been dragged out and then assaulted. It does not appear to reason that he could not see dragging incident and assault even though he was at that particular time very close to Shri Jha. On the point as to whether he was taken in the CITU office, his evidence is that he did not see whether the persons present had taken Shri Jha in the room and put him under lock and key. The case against Sri Sitaram Mahato is that he had taken Shri Jha in the room where he was forced to write that he sustained injury in car accident. On the other hand, the evidence of this witness is that when Shri S. K. Jha came out bleeding profusely he wanted water and some of the contractors labourers gave him water to drink. It was thereafter that Sri Sitaram got something written by Shri Jha under duress. On this point the management's case has been contradicted by this witness because according to him Shri Jha was forced to write outside the room whereas the management's case is that he was forced to write inside the room. So, on the point of dragging, assault and on the wrongful confinement of Shri Jha the witness has given quite contradictory evidence although he was the most competent witness to depose on the point.

The other witness Shri Ranjit Singh is an office peon, who was going in the same car with Sri S. K. Jha. He has said that near CITU office he found many contractors labourers assembled and they stopped the car. He has named S/Shri Sitaram Mahato, Brahmdeo Mahato and Ramdeo Mahato who had come near the car. But on the point of actual occurrence his evidence is that he could not see who dragged Shri Jha from the car. He also could not see who had caused bleeding injury on the head and on the person of Shri Jha. He has further said that he could not say who restrained Shri Jha in the office. So on all the three aspects of this occurrence the witness has not supported the case of the management.

Now, turning to the evidence of Shri S. K. Jha himself, his evidence in examination-in-chief is that he found many contractors labourers near the CITU office and some of them were on the road. He recognised among the crowd Sri Sitaram Mahato who dragged him out of the car along with others. He has said that they started assaulting him. Later on he has said that he was assaulted by Sitaram Mahato, Ramdeo Mahato and Brahmdeo Mahato. Then his evidence is that they forced him into the CITU office where he was wrongfully restrained and he was made to write on a paper under extreme duress. He does not say as to who made him write the letter. The enquiry officer however asked him questions specifically. On the question of dragging he has said that Sitaram Mahato dragged him out of the car. To another question he has said that he could not say whether Ramdeo Mahato or Brahmdeo Mahato also dragged him out. On the point of assault he has said that so far as he remem-

bers Sitaram Mahato hurled lathi blow. So he fully implicated Sitaram Mahato in the questions asked by the enquiry officer; he does not involve Brahmdeo Mahato and Ramdeo Mahato on the question of dragging and assault as he had done in his statement in examination-in-chief. It is apparent from the statement of this witness that in his examination-in-chief he fully wanted to implicate all the three workmen who had been charge-sheeted, but when questions were asked by the enquiry officer he choose to involve only Sitaram Mahato. The enquiry officer had used the evidence of Shri S. K. Jha in answer to his own questions in order to exonerate Brahmdeo Mahato and Ramdeo Mahato and the same evidence had been used in order to come to conclusion that Sitaram Mahato was guilty of the charges.

Since this case of dismissal is based purely on the evidence of Shri S. K. Jha, it is noteworthy that the enquiry officer has given his finding about the guilt of Sitaram Mahato without any corroborated evidence. I have pointed out above that the two witnesses Shri G. R. Sen, driver and Shri Ranjit Singh, office peon, who were present at the time of occurrence near Shri Jha have not corroborated the case of the management on the question of dragging of Shri S. K. Jha, on the question of assault and also on the question of wrongful confinement. Even Shri S. K. Jha has contradicted himself in answering the questions put forth by the enquiry officer. The enquiry officer therefore, should have scrutinised the evidence of Shri S. K. Jha before finding Sitaram Mahato guilty. Moreover, the management did not choose to examine Shri Mitra, A.O.S.T. who was, according to the evidence of the witnesses near the place of occurrence, and had as a matter of fact intervened. No explanation had been offered as to why Shri Mitra was not examined. It appears to my mind that the charges were framed on the allegations made by Shri S. K. Jha although the management has not said a word about it. In ordinary course he should have made the report to the higher authorities. That particular paper would have given the picture of the occurrence. But apart from that the positive case is that a FIR was lodged at the police station in respect of the occurrence. So these two papers have not been produced at the enquiry stage as corroborative piece of evidence. Since it was a case of assault and bleeding injuries there should have been an injury report in order to corroborate the case of assault. Even this paper was not produced. It would, therefore, appear that the enquiry officer solely relied on the un-corroborated testimony of Shri S. K. Jha without considering the possible effect of the contradictory statement made in his evidence. I am sure that if he had considered all these, he would have given the benefit of doubt in the case of Sitaram Mahato also as he has done in the case of Brahmdeo Mahato and Ramdeo Mahato. It is true that since the enquiry was found to be fair and proper the conclusions arrived at by the enquiry officer and the subsequent action of the management based on that enquiry report should not be normally interfered with but for the reasons given by me in discussing the evidence of the witnesses, I am constrained to hold that right conclusion in respect of the guilt of Sitaram Mahato had not been taken by the enquiry officer. This has led the management giving a wrong order in removing Shri Sitaram Mahato from service.

In the result, the order of removal of Shri Sitaram Mahato from service cannot be sustained. Shri Sitaram Mahato will, therefore, be deemed to be in service from the date he was dismissed from service i.e. 26th August, 1974. He will be entitled to the full back wages and to be reinstated in the service of Dugda Coal Washery of Messrs Hindustan Steel Limited, Post Office Dugda, District Giridih, with effect from 26th August, 1974.

This is my award.

J. P. SINGH, Presiding Officer.

[No. L-20012/246/75-D.III(A)]

S. H. S. IYER, Desk Officer

New Delhi, the 17th September, 1979

S.O. 3452.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal (C), Hyderabad in the industrial dispute between the employers in relation to the management of Singareni Collieries Company Limited, Godavari Khani No. 5 Incline, Ramagundam

Division-II, Godavari Khani, Karimnagar, District Andhra Pradesh and their workmen which was received by the Central Government on 10th September, 1979.

BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL)
AT HYDERABAD.

PRESENT :

Sri G. Sadashiva Reddy, B.A., B.L., Industrial Tribunal (Central).

Dated, 31st August, 1979

Industrial Dispute No. 30 of 1978

BETWEEN

Workman of Singareni Collieries Company Limited, Godavari Khani No. 5 Incline, Ramagundam Division II, Godavari Khani, Karimnagar District (A.P.)

AND

The Management of Singareni Collieries Company Limited, Godavari Khani No. 5 Incline, Ramagundam Division II, Godavari Khani, Karimnagar District (A.P.).

APPEARANCES :

Sri A. Lakshmana Rao, Advocate for the Workman. Sarvasti K. Srinivasa Murthy and K. Satyanarayana Rao, Advocates for the Management.

AWARD

On an industrial dispute that arose between the Management of Singareni Collieries Company Limited, Godavari Khani No. 5 Incline, Ramagundam Division II, and their Workmen, in respect of the matters specified in the Schedule, the Government of India (Ministry of Labour) through its order dated 13th September, 1978 referred the dispute to this Tribunal for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947.

SCHEDULE

"Whether the action of the Management of M/s. Singareni Collieries Company Limited, Godavari Khani, Karimnagar District Andhra Pradesh in dismissing Sri Modi Narsaiah, Ex-Canteen boy, Godavari Khani No. 5 Incline, from service with effect from 20th August, 1976 is justified? If not, to what relief is the concerned workman entitled?"

2. The facts that gave rise to this reference, briefly stated are the following :— Sri Modi Narsaiah who shall hereafter be referred to as the petitioner, was employed as a Canteen boy in one of the canteens, run by the Management of Singareni Collieries Company Limited, Godavari Khani No. 5 Incline and his duties were to clean the cups and other utensils, apart from assisting the cook in preparing on eatables. It has been the practice to send each day's sale proceeds to the Assistant Accounts Officer, through the Petitioner. When the accounts of the Assistant Accounts Office were checked in June 1976, it was noticed that the Petitioner had not remitted an amount of Rs. 949.33 representing the sale proceeds on different dates between 16th December, 1975 and 27th May, 1976. It was also found that the Petitioner had not remitted certain amounts regularly in the accounts office. Therefore, he was served with two charge-sheets, dated 7th June, 1976 and 14th June, 1976 for his irregular remittances and failure to remit certain amounts, respectively and was called upon to submit his explanation. Enquiries were held and the Petitioner was found guilty of the charges by the enquiry officer. The findings of the Enquiry Officer were accepted by the Management and the Petitioner was dismissed from service by an order dated 20th August, 1976.

3. Aggrieved by the said order, the Petitioner through the workers' Union raised a dispute and efforts at consultation 637 GI/79-11

having failed, the Central Government, after being satisfied about the existence of an industrial dispute, referred the same to this Tribunal for adjudication.

The Petitioner in his claim statement filed before this Tribunal, has alleged that the charges levelled against him are false, that no enquiry was in fact conducted in his presence nor was he given any opportunity to cross-examine the Management witnesses said to have been examined during the course of the enquiry, that the Welfare Officer and the Canteen Clerk made him to submit the explanations admitting the guilt much against his will that he was also made to affix his thumb impressions on certain previously prepared statements, the contents of which were not disclosed to him, that in none of the Canteen run by the Management, the Canteen boys will be entrusted with the sale proceeds, as it is the duty of the Canteen Clerk and Welfare Officer, to deal with cash and its remittances, that the canteen clerk alone made good of the amount alleged to have been short remitted as it was he who must have utilised the amounts, that the Petitioner is only made a scape goat in the matter in order to save the Canteen Clerk, who alone is guilty of the alleged misconduct, that the dismissal order passed against the Petitioner, without conducting any enquiry and without giving him an opportunity to defend himself is invalid, that the same is also illegal for the reason that it was passed in violation of the Standing Order 16(C) without taking into consideration of the past unblemished record of the Petitioner and that therefore, the Petitioner is entitled to be reinstated into service with full back wages and continuity of service, setting aside the dismissal order passed.

5. The Management has filed a counter denying all the adverse allegations made and contending that as per the practice prevailing in all the canteens run by the Management, daily sale proceeds were being sent only through the Canteen boys for remittance in the office of the Assistant Accounts Office, that the Petitioner who was entrusted with the sale proceeds between 16th December, 1975 and 27th May, 1976 failed to remit a total sum of Rs. 949.33, that he was also found to have failed to remit certain amounts in time, that therefore two separate charge sheets dated 7th June, 1976 and 14th June, 1976 were issued to him, that the petitioner submitted his explanations admitting his guilt, that despite his admission enquiries were held giving every opportunity to the Petitioner, not only to cross-examine the Management witnesses but also to lead evidence on his behalf, that the petitioner in fact participated in the enquiries and utilised the opportunity given to him, that his allegation as if he was made to admit the offence and to affix his thumb-impressions on certain statements prepared behind his back without even disclosing their contents to him is not only false but is only an after thought, that his past record was duly taken into consideration while passing the order of dismissal, and that dismissal being the only fit and proper punishment that can be awarded, having regard to the gravity of the misconduct provided, the petitioner is not entitled to any relief.

6. Since the impugned order of dismissal passed against the Petitioner was preceded by a domestic enquiry, on which the Management relied, the parties were directed to lead evidence on the validity of the enquiry proceedings, in which regard, the Management filed the enquiry proceedings which are marked as Exs. M 1 to M 13 by consent while the Petitioner got himself examined as W. W. 1 who did not however file any documents.

7. Out of the documents filed by the Management, Exs. M 1 and M 9 are the two charge-sheets served on the Petitioner on 7th June, 1976 and 14th June, 1976 respectively. Ex. M 1 relates to the failure of the Petitioner to remit a sum of Rs. 325.10 entrusted to him on 21st April, 1976, 22nd April, 1976, 26th May, 1976 and 27th May, 1976 and also delayed remittances made by him. Ex. M 9 pertains to the Petitioner's failure to remit a total sum of Rs. 624.23 which was entrusted to him between 18th December, 1975 and 9th February, 1976. Ex. M 2 is the letter dated 10th June, 1976 by which the Petitioner was directed to attend the enquiry on 15th June, 1976 in respect of the charges covered by Ex. M 1. Ex. M 5 is the explanation of the Petitioner to the charge sheet covered by Ex. M 1 admitting the fact of his failure to remit a sum of Rs. 325.10 till 2nd June, 1976 on which date the said amount was paid by the wife of the Petitioner, reporting that her husband had misappropriated the above amount. Ex. M 10 is the explanation given to the other charge-sheet covered by Ex. M 9 under

which also the petitioner has admitted the charge levelled against him. Ex. M 3 is the letter dated 28th May, 1976 of the Welfare Officer, to the Assistant Accounts Office, intimating that a sum of Rs. 185.15 being the sale proceeds realised on 26th May, 1976 and 27th May, 1976 was sent for remittance. It is on this, an endorsement is made to the effect that the wife of the Petitioner, paid Rs. 325.10 on 2nd June, 1976 in the presence of mediators. Ex. M 4 is the letter dated 2nd June, 1976 said to have been given by the wife of the Petitioner, while paying Rs. 325.10 to the Welfare Officer, in the presence of mediators. Ex. M 7 is the enquiry proceedings with regard to the charge sheet dated 7th June, 1976 while Ex. M 12 is the enquiry proceedings in respect of the charge sheet dated 14th June, 1976. Ex. M 7 and M 13 are the reports of the Enquiry Officer who found the Petitioner guilty of the charges framed. Ex. M 8 is the report of the Canteen Clerk complaining that the Petitioner had not remitted a sum of Rs. 624.23 entrusted to him between 18th December, 1975 and 9th February, 1976. Ex. M 11 is the Notice sent to the Petitioner intimating the date of the enquiry in regard to the second charge sheet.

8. To substantiate his contention that no enquiry was in fact conducted and that he was made to admit the charges by the Canteen Clerk and the Welfare Officer, the Petitioner got himself examined as W.W.I. He stated that after serving charge-sheets, his thumb-impressions were obtained by the Welfare Officer on certain papers over which something was written, that though he was called to participate in the enquiries, no one was examined in his presence, that he too was not questioned or examined by the Enquiry Officer, and that he never admitted the charges levelled against him. A close scrutiny of his evidence would leave no room to doubt that the Petitioner, was bent upon denying each and every thing in an attempt to suppress the truth. Having admitted that he submitted explanations to the two charge-sheets served on him, he did not hesitate to deny the same, when asked if he had not pleaded guilty to the charges framed. It is difficult to believe that not even a single question was put to him by the Enquiry Officer, having called him to appear on a particular day. He however admitted that he never complained to the Management or any other Officer, against the Welfare Officer or the Canteen Clerk or even against the Enquiry Officer, even though the former two obtained his thumb-impressions on prepared statement without disclosing their contents to him and the latter did not record the statements of witnesses in his presence and thereby deprived him of any opportunity to defend himself. His evidence that he never admitted the alleged offences is contrary to what has been pleaded in the claim statement. In the claim statement he has pleaded that he was made by the Welfare Officer and Canteen Clerk to submit explanation admitting his guilt and he chose to give a go bye to the plea taken, while giving evidence. This and other circumstances, appearing on the face of the record, are sufficient to hold that the petitioner in a desperate bid to somehow extricate himself from the situation in which he found himself placed, went on denying each and every suggestion made to him.

9. Probably realising the position, the learned counsel for the Petitioner, fairly conceded that there is nothing to find fault with the domestic enquiries held, or even the findings recorded by the Enquiry Officer. He only urged that the punishment of dismissal awarded must be held to be quite disproportionate and unwarranted, in view of the long lapse of time between the date on which the petitioner was expected to remit the amount, and the date on which the non-remitance or delayed remittance was detected. According to him, almost every day or once in two days, the sale proceeds were being sent for remittance in the accounts office in proof of which the accounts office would pass receipts so that the Canteen Clerk or the Welfare Officer, who send the amount for remittance may make themselves sure of the remittances. In such an event, there is absolutely no scope of any non-remitance or short remittance going undetected for more than one day because the Canteen Clerk or Welfare Officer, is expected to ask for the production of the receipt soon after the petitioner returns from the Accounts office, either on the same day or on the next day. Failure to detect the non-remittances for so long a time, necessarily indicates the complicity of the Canteen boy and the Welfare Officer in the matter without which there is no possibility of the non-remitance going undetected for so long a time. I am prone to believe that as I am convinced after giving my anxious thought

to the matter, that without the complicity of atleast the Canteen boy, there is no scope for the Petitioner to avoid detection of the non-remittances for so long a time. I am also lead to believe that the Clerk himself, might have utilised the amounts, with a hope to make good the same a few days later and throw the entire blame on the Petitioner, when the offence was detected. Of course, this must have been done with the connivance of the Canteen boy. Though it is said that the wife of the Petitioner paid Rs. 325.10 to the Welfare Officer on 2-6-1976, I find it difficult to believe it as the Petitioner would not have kept the entire amount in his house without utilising any portion of it, having chosen not to remit the said amount on the date on which it was entrusted to him. One generally stoops to such things only when he finds himself hard pressed for money. Whatever that be, the simple fact that the Clerk or Welfare Officer, who were bound or were expected to insist on the production of receipts every day, did not notice the non-remittances for a considerable period, makes me to believe that there is some truth in the submission made by the learned counsel for the Petitioner that the Management for reasons best known to it proceeded against the Petitioner alone, without taking any action against the Canteen Clerk.

10. The learned counsel for the Management contended that once the enquiry is conceded to be fair and proper, including the findings of the Enquiry Officer, any attempt made to make it appear that some one also must have had a hand in committing the offence, will be harping on imagination and that even if some one else had his hand in this affair, that can be no ground to exonerate the Petitioner, who is rightly found guilty of the charges, particularly when the charge is one of misappropriation. I do not say for a moment that a person guilty of misappropriation, can with any amount of grace be asked to be retained in service. But having regard to the fact that the Petitioner must have only obliged the Canteen Clerk is not remitting certain amount and in late remittances, without himself having much benefit out of it, and that the Clerk is allowed to go scot free, I am of the opinion that ends of justice will be sufficiently met if the order of dismissal is ordered to be treated as one of discharge simpliciter, so that the petitioner may not forge the benefit to which he would be entitled but for the dismissal order.

11. For all the foregoing reasons, an award is passed finding that the Management of M/s. Singareni Collieries Company Limited, Godavari Khani, No. 5 Incline, is not justified in dismissing Sri Modi Narasiah, Ex-Canteen Cleaner, and that treating the dismissal order as one of discharge simpliciter, the Petitioner shall be given whatever monetary benefits to which he would be entitled under law.

Given under my hand and the seal of this Tribunal, this the 31st day of August, 1979.

APPENDIX OF EVIDENCE

Witnesses examined
for Workman :

W.W.I.—Modi Narasiah.

Witnesses examined for
Management :

Nil.

Documents exhibited for the Workmen :

Nil.

Documents exhibited for the Management :

Ex. W1 by consent.—Charge sheet No. GVDK/5/36/1496/76 dated 7-6-1976 issued to Sri Modi Narasiah by the Management.

Ex. M2 by consent.—Notice No. GVDK/5/36/1527 dated 10-6-1976 issued by the Management to Sri Modi Narasiah for enquiry.

Ex. M3 by consent.—Remittance letter from Welfare Officer to JAO(C)(3) Nos.

- Ex. M4 by consent.—Consent letter given by Mr. Modi Narsiah depositing Rs. 325.10 to GVDK 5.
- Ex. M5 by consent.—Reply by Modi Narsiah dated 15-6-76 to C/S, GVDK/5/36/1496/76 dated 7-6-1976.
- Ex. M6 by consent.—Statements of Sarvasri Modi Narsiah Canteen Boy, Rama Suri, Canteen Clerk and S. Krishna.
- Ex. M7 by consent.—Enquiry Report dated 21-6-1976.
- Ex. M8 by consent.—Complaint by Canteen Clerk Sri Ramana Suri No. 5 Incline to the Colliery Manager.
- Ex. M9 by consent.—Charge Sheet No. GVDK 5/34/1591/76 dated 14-6-1976 issued by the Management to Sri Modi Narsiah.
- Ex. M10 by consent.—Reply dated 15-6-1976 by Sri Modi Narsiah to the Colliery Manager, G. DK. No. 5 Incline.
- Ex. M11 by consent.—GVDK/5/CS/34/1634 dated 17-6-1976 issued by the Management to Sri Modi Narsiah.
- Ex. M12 by consent.—Statement of Sarvasri Modi Narsiah, Canteen Boy, S. Krishna, Welfare Officer, GVDK 5 and T.V. Ramanasuri, Canteen Clerk, GVDK 5.
- Ex. M13 by consent.—Enquiry Report pertaining to Sri Modi Narsiah.

G. SADASIVA REDDY, Presiding Officer

[No. L-21012(14)/78-D.IV(B)]

SHASHI BHUSHAN, Desk Officer

प्रावेश

मई विलासी, 18 सितम्बर, 1979

फारम्यू 3453.—केन्द्रीय सरकार की राय है कि इससे उपाधिकरण मनुसूची में विनियिष्ट विषयों के बारे में कुद्रेमुख आयरन और कंपनी लिमिटेड के प्रबन्धन से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच एक ग्रौषंगिक विवाद विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना चांगलीय समझती है;

अतः, धर्म, ग्रौषंगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7क और धारा 10 की उपधारा (1) के खण्ड (ध) द्वारा प्रदत्त शर्तियों का प्रयोग करने हुये, केन्द्रीय सरकार एक ग्रौषंगिक अधिकरण गठित करती है जिसके पीठारी शधिकारी श्री एफ. एल. एफ. एन्वरांस लोगे जिनका मुख्यालय बंगलौर में होगा और उक्त विवाद को उक्त ग्रौषंगिक अधिकरण को न्यायनिर्णयन के लिए निर्देशित परसी है।

प्रमुख

“क्या कुद्रेमुख आयरन और कंपनी लिमिटेड, बंगलौर के प्रबन्धन से लोगों की कार्यवाही न्यायोचित है? यदि नहीं, तो उक्त कर्मकार किस अनुसार का हकदार है?

[संलग्न एस-26012/1/79-डी. 3 वी]

ORDER

New Delhi, the 18th September, 1979

S.O. 3453.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Kudremukh Iron Ore Company Limited and their workmen in respect of the matter specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute to adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri F. L. F. Alvares shall be the Presiding Officer with headquarters at Bangalore and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

“Whether the action of the management of Kudremukh Iron Ore Company Limited, Bangalore, in dismissing Sri N. E. Mohammed, Driver, from their services with effect from 4-7-1978 is justified? If not, to what relief the said workman is entitled?”

[No. L-26012/1/79-D. III. B]

New Delhi, the 28th September, 1979

S.O. 3454.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal Madras in the industrial dispute between the employers in relation to the management of Krishna Mines, Ramaianpatti, P. O. Tirunelveli, District, Tamil Nadu and their workmen, which was received by the Central Government on the 18th September, 1979.

BEFORE THIRU T. SUDARSANAM DANIEL, B.A., B.L. PRESIDING OFFICER, INDUSTRIAL TRIBUNAL

Industrial Dispute No 35 of 1978

(In the matter of the dispute for adjudication under section 10(1)(d) of the Industrial Disputes Act, 1947 between the workmen and the Management of Krishna Mines, Ramaianpatti P. O. Tirunelveli District).

BETWEEN

The President, Nellai Suranga Thozhilalar Sangam, 18, Parashakthi Building Tirunelveli (Tamil Nadu).

AND

The Proprietor, Krishna Mines, No. 5, Kailasapuram North Street, Tirunelveli (Tamil Nadu).

REFERENCE :

Order No. L. 29011/8/78-D.III.B, dated 5th June, 1978 of the Ministry of Labour, Government of India.

This dispute coming on this day for hearing upon perusing the reference, claim and counter statements and all other material papers on record and upon hearing of Thiru P. Subramaniam, Joint Secretary of Madras State I.N.T.U.C. appearing for the workmen and of Thiruvalargal M. R. Narayanaswami and S. Jayaraman, Advocates for the Management and the parties having filed a memorandum of bipartite settlement and recording the same, this Tribunal made the following.

AWARD

Tuesday, the 4th day of September, 1979

This is an Industrial Dispute referred to this Tribunal for adjudication by the Government of India under section 10(1)(d) of the Industrial Disputes Act, 1947 between the workmen and the Management of Krishna Mines, Ramaianpatti P.O., Tirunelveli District in respect of the following issue :

Whether the action of the Management of Krishna Mines, Ramaianpatti, P. O. Tirunelveli District (1) Tamil Nadu in terminating the services of Sarvashri (1) T. Durairaj, (2) S. Koilpitchai, (3) Antonysamy, (4) S. Paramasivam, (5) V. Ponnupandi, (6) S. Subbaiah Thevar, (7) S. Sridharan, (8) K. Chellapackiam, (9) C. Pechimuthu Thevar and (10) S.

Pichaich employed in their Limestone Quarry with effect from 21-1-1978 is justified? If not to what relief the workmen are entitled to?

(2) Summons were issued to the parties for 11-7-1976 and were served. Petitioner-Union Nellai Suranga Thonulalar Sangam, Tirunelveli filed a claim statement on 11-7-1978 and the Respondent-Management Krishna Mines, Ramaiappatti P.O., Tirunelveli District filed a counter statement on 2-12-78.

(3) After several adjournments, when the dispute was taken up today both parties filed a bi-partite Settlement under section 18(1) of the Industrial Disputes Act, 1947 dated 4-1-1979.

(4) On perusal of the settlement, I find that the term of the settlement are fair and reasonable. Hence it is recorded. An Award is passed in terms of the Settlement, which will form part of the Award.

Dated, this 4th day of September, 1979.

ANNEXURE

MEMORANDUM OF BI-PARTITE SETTLEMENT ARRIVED AT BETWEEN THE MANAGEMENT OF KRISHNA MINES, TIRUNELVELI AND NELLAI SURANGA THOZHILALAR SANGAM, TURUNELVELI UNDER SECTION 18(1) OF THE INDUSTRIAL DISPUTES ACT, 1947 ON 4-1-1979 AT TIRUNELVELI

PRESENT :

1. Shri S. Rajaraman, Office Manager, Krishna Mines, Tirunelveli.
2. Shri T. Durairaj, President, Nellai Suranga Thozhilalar Sangam, Tirunelveli.
3. Shri S. Kovil Pitchai, Secretary, Nellai Suranga Thozhilalar Sangam.

SHORT RECITAL OF THE CASE

In the course of a dispute which arose between the Management and the workers in regard to fulfilment of workload and maintenance of discipline, the services of ten workers were terminated. Following this, there was further indiscipline as a result of which, another twenty two workers have been issued with show-cause notices.

In order to find a solution to the above problems, dialogues were held between the management and the union on 4-1-1979 and the following settlement has been arrived at.

Terms of Settlement

1. The services of the following ten workers were terminated with effect from 21-1-78 :

- (a) Sri T. Durairaj T. No. 567
- (b) Sri Kovilpitchai T. No. 606
- (c) Sri S. Paramasivam T. No. 456
- (d) Sri S. Antonysamy T. No. 778
- (e) Sri V. Ponnu Pandi T. No. 591
- (f) Sri S. Subb'ah Thevar T. N. 844.
- (g) Sri S. Pechi Thevar T. No. 379
- (h) Sri S. Pitchiah T. No. 634
- (i) Sri K. Sridharan T. No. 879
- (j) Sri K. Chellapaghyam T. No. 752

out of these ten workers, Messrs K. Sridharan and K. Chellapaghyam have, of their own record, informed the management in writing that they do not wish to be re-employed and have received all their statutory dues as full and final settlement.

The management now agrees that the remaining eight workers shall be taken back into service within three days from the date of this settlement.

2. In respect of the termination of these ten workmen an industrial dispute is pending before the Industrial Tribunal Madras, under I.D. 35/78. In view of the settlement now reached, as per which, eight workmen will be reinstated in service and two workmen have settled their dispute with the management, the Union and the Management agree to file a joint memorandum before the Industrial Tribunal, Madras.

3. The management have expressed their inability to agree to pay backwages to these eight workers for the period of their non-employment. However, the Management agrees to ensure that the continuity of their services will not be affected for the purposes of provident fund, gratuity, etc.

4. The services of two workmen by name Mr. Dalavol and Mr. Packiaraj were terminated with effect from 5-3-77. In regard to this matter, an industrial dispute was raised before the Industrial Tribunal, Madras, under I. D. 51/77. The Tribunal has upheld the action of the management. However, in deference to the request of the Union, the aforesaid two workmen will be taken back into service as new entrants in service.

5. In response to the request of the Union, the management agree to withdraw the show cause notices dated 23-10-78 issued to twenty two workmen and drop all further proceedings pending against them.

MANAGEMENT

Sd.....

Sd.....

UNION

Sd.....

Sd.....

Witnesses

1. Sd/-

2. Sd/-

T. SUDARSANAM DANIEL, Presiding Officer
[No. L-29011/8/78-D.III.B.]
A. K. ROY, Under Secy.

New Delhi, the 22nd September, 1979

S.O. 3455.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal Hyderabad in the industrial dispute between the employers in relation to the management of the Indian Airlines and their workmen, which was received by the Central Government on the 20th September, 1979.

BEFORE THE INDUSTRIAL TRIBUNAL (CENTRAL) AT HYDERABAD.

PRESENT :

Sri G. Sadasiva Reddy, B.A. B.L., Industrial Tribunal,

Industrial Dispute No. 11 of 1978.

BETWEEN

Workmen of Indian Airlines, Hyderabad.

AND

The Management of Indian Airlines, Hyderabad

This Industrial Dispute coming for final hearing before me on 29-8-1979 upon perusing the reference, claim statement, counter and other material papers on record and upon hearing the arguments of Sarvasri S. Ravindranath and A. K. Jayaparakash Rao, Advocates for the Workmen and R. Raghavan & C. Ramakrishna, Advocates for the Management and having stood over for consideration, the Tribunal passed the following :—

AWARD

On an industrial dispute that arose between the Management of Indian Airlines, Hyderabad and their Workmen

Sri K. Venkatesh, the Government of India, by its order dated 5-5-1978 referred the matters specified in the schedule, to this Court for adjudication under Section 10(1) (d) of the Industrial Disputes Act, 1947.

SCHEDULE

"Whether the action of the Management of the Indian Airlines, Hyderabad in terminating the services of Sri K. Venkatesh, with effect from 7th January, 1947 is justified? If not, to what relief is the said workman entitled?"

2. The case of Sri K. Venkatesh, who shall hereafter be referred to as the Petitioner, as per the claim statement filed is briefly the following.—The Petitioner was first appointed as a central mechanic in the service of the Indian Airlines, Hyderabad, by the Station Head, after subjecting him to a thorough medical examination on 19-6-1969. One year thereafter, the Petitioner was once again directed to undergo medical examination through a letter dated 28-7-1970 which he underwent and he was continued in service till the end of 1971 when again, through their letter dated 14-12-1971 the respondent-management required the Petitioner to undergo medical examination for the purpose of absorbing him on a permanent basis. The Petitioner who underwent medical examination was found fit and so his services were regularised by an order dt. 4-5-1972 and was allowed all the benefits such as privilege leave, casual leave, sick leave, free air passage etc. which benefits will be extended only to permanent employees.

3. While so, the employees of Indian Airlines, went on strike in November 1973 and the management declared a lockout, which was however lifted with effect from 23-11-73 subject to the condition that all those who went on strike, shall give an undertaking in the prescribed form supplied by the management. The Petitioner, along with other employees gave the undertaking on 31-12-73 and resumed duty on the same day. He worked till 4-1-74 and availed the holidays on 5th and 6th January 1974. When he reported for duty on 7-1-74 he was illegally prevented from resuming duty by Mr. Benerji, the Industrial Distributor. The Petitioner therefore submitted an application to the management to let him know why he was not permitted to resume duty on 7-1-74. A reply was given on 24-1-74 by the Station Head, Hyderabad, that lockout was lifted only for permanent staff and that the Petitioner, being only a casual worker, who was found to be medically unfit cannot be resumed in service. The above allegation that the Petitioner was only a casual worker or that he was found to be medically unfit is false. He therefore sent another representation to the Station Head on 28-1-74 and again on 26-2-74 to which a reply was given that the earlier reply given was final. The Petitioner then moved the Asst. Labour Commissioner (Central) before whom the management took a false stand that the Petitioner was a T. B. patient, as a consequence of which conciliation failed. The Petitioner was never before informed that he had T. B. The Petitioner was also not given one month's notice nor was he paid the notice pay and retrenchment compensation at the time of terminating his service. Thus the termination effected on false grounds is also opposed to Section 25F of the I. D. Act. The same is therefore liable to be set aside, and the Petitioner, who could not secure any alternative job till now, is entitled to reinstatement with full back wages and all other attendant benefits.

4. The respondent-management has filed a counter contending as follows.—The Petitioner was no doubt engaged as a cleaner in the service of the respondent, but it was only from 30/31 July 1970 and not earlier, that too, as a casual worker. His initial appointment was only for a period of 60 days. He was not subjected to any medical examination at that stage. For the first time, the Petitioner along with a few others was sent for medical examination on 14-12-1971 for considering whether he can be absorbed on a permanent basis. But he was found to be medically unfit, by Dr. Brahmaji Rao, the Cardiologist, Osmania Medical Hospital, because it was noticed that the Petitioner was suffering from Rhlumnaic nitral and antic valve disease with evidence of biventricular hypertrophy and left atrial hypertrophy. X-ray chest was also taken at the instance of the Senior Medical Officer of the Airlines, and the case of the Petitioner was finally forwarded to the C.M.O. of the Airlines Corporation,

New Delhi, who, on examining the reports decided on 19-4-1972 that the Petitioner was unfit to be absorbed in the service of the respondent on permanent basis. No person is eligible to be appointed in the service of the respondent, without being medically fit as per Regulation 10 of the Corporation and termination of Petitioner's service effected only because he was found to be medically unfit is perfectly valid and cannot be questioned. The mere fact that the Petitioner was allowed to continue in service on casual basis, for a few days even after he was found medically unfit, which was done purely on humanitarian grounds does not give the Petitioner any right to question the termination. The allegation that his services were regularised and that he was given the status of a permanent employee is false. It is no doubt true that some benefits were extended to him inspite of his being a casual worker. That was done because he had completed one year of continuous service and even this does not give him the status of a permanent employee. As per Regulation 6(12) of I. A. Service Regulations, permanent employee is one who has completed the prescribed probationary period and who has been confirmed as a regular member of the staff against the permanent sanctioned strength and none else. The Petitioner was never absorbed on a permanent basis as he had not satisfied the requirement of medical fitness. On the other hand he was found to be medically unfit and could not therefore be absorbed in service on permanent basis.

5. It is also true that the Petitioner was permitted to work from 31-12-73 to 4-1-74 after lifting the lockout but that was done only due to an honest mistake on the part of the concerned officials of the respondent. In fact, no one engaged on casual basis was required to sign the undertaking including the Petitioner. That was required of only the permanent employees. The mistake was discovered on 7-1-74 and hence the Petitioner was rightly prevented from resuming duty on 7-1-74. Since the termination of his service was only because he was found to be medically unfit, question of giving one month's notice or paying notice pay and retrenchment compensation does not arise. The Petitioner cannot treat the termination as retrenchment and invoke Section 25F of the I.D. Act because the termination for continued ill health falls within the exception provided in clause (c) of Section 2(oo) which excludes the application of Section 25F of I.D. Act. The Petitioner cannot therefore have recourse to Sec. 25F and as the action of the respondent in terminating the services of the Petitioner for his continued ill health is perfectly valid and legal, the Petitioner will not be entitled to any relief, and his claim is therefore liable to be rejected.

6. This Tribunal, under the reference, is called upon to decide whether the termination of the services of the Petitioner, by the management of Indian Airlines, Hyderabad, is justified. As seen from the pleadings, the fact of termination is not disputed by the management. The management is also not disputing the fact that termination was not for any mis-conduct in which case they should have normally held a domestic enquiry. On the other hand, it is the specific case of the management that termination of service was for continued ill-health of the Petitioner. In other words the termination was due to the fact that the Petitioner was found medically unfit to be retained in service. This has been disputed by the Petitioner according to whom the ill-health attributed to him is false. One witness is examined by each of the parties in support of their respective contentions and the documents filed by them are marked as Ext. W1 to W18 and M1 to M3 respectively.

7. Since there is a dispute between the parties even with regard to the status of the Petitioner by the date of termination, i.e. whether he was only a casual worker or had attained permanent status, I shall dispose of this question at the first instance.

8. Petitioner claims that he was made permanent after subjecting him to medical examination and was therefore given certain benefits like privilege leave, casual leave, free air passage etc. which according to him are benefits given or allowed only to permanent employees and not casual workmen. This has been stated so in his evidence by the Petitioner who is examined as W. W1. He has however admitted that his first appointment was only as a casual cleaner and this is evident from Ex. W1 the order of appointment dated 30/31-7-70. Petitioner has no doubt stated that he was first appointed in 1969 itself but he has not filed any document in proof of it. From Ex. W1 it is evident that he was first

appointed for a period of 60 days with effect from 31-7-70 as a casual cleaner. Before appointing him, the Petitioner was also directed to undergo medical examination and this is evident from Ex. W2 dt. 28/29-7-70. The appointment has been reiterated by Ex. W4 issued by the Regional Director of the respondent. The Petitioner's evidence that Ex. W4 is the appointment order for a fresh period of two months after the expiry of the period for which he was appointed under Ex. W1 is not correct.

9. It is further the evidence of the Petitioner that he was again sent for medical examination in December 1971 after which alone, his services were regularised and was given the status of a permanent employee. Ex. W5 is the letter dated 14-12-1971 of the Admin. & Personnel Officer of the Airlines, under which the Petitioner and others were referred to the Sr. Medical Officer and Ex. W6 is the order dt. 4-5-1972 under which the Petitioner and two others who had completed one year's continuous service by 31-7-71 were given the benefits of privilege leave, annual increment, casual leave and others. The Petitioner obviously relies on this order covered by Ex. W6 to substantiate his contention that his services were regularised and that he was given permanent status. No one on behalf of the management is examined to explain the effect of Ex. W6. The learned counsel for the management however contended that in the absence of any mention having specifically been made in Ex. W6 to the effect that the services of the Petitioner were either regularised or that he was given the status of a permanent employee, the contention of the Petitioner cannot be accepted. I find myself unable to accept the above contention because, the benefits, particularly the benefits of annual increments, casual and privilege leave, admission to IAEPF, and contributory P. F., will not be extended to any employees other than those whose services were regularised or who were given permanent status. It is difficult to visualise that the above benefits will be extended to casual workers. If is not even the case of the management that even casual workers will be entitled to the above benefits, provided they have put in a continuous service of one year unless their services are regularised after finding them to be medically fit. If such is the case, nothing prevented the management to lead evidence in proof of it or atleast to quote the relevant rules governing the service of casual and permanent workmen. Failure on the part of the management to lead any evidence in this regard is sufficient to hold that the stand taken by it that the Petitioner continued to be a casual worker cannot be true.

10. This apart, the fact that the Petitioner continued to be in service enjoying the above benefits till 7-1-74 on which date his services were terminated and that he was asked to give an undertaking after lifting the lockout, would only go to show that the Petitioner was conferred the status of a permanent employee and was treated as such by the management. Ex. W8 is the undertaking given by the Petitioner and this fact is not denied by the management. It is pertinent to note in this regard that it is the case if the management as seen from para 6 of the counter, that option of giving an undertaking was given only to permanent employees and not others since lockout was lifted only in the case of permanent employees. If the Petitioner was not given the permanent status there was no necessity for asking him to give the undertaking. It is no doubt pleaded that it was by mistake or inadvertence that the Petitioner was allowed to give an undertaking and was also allowed to work from 31-12-73 to 7-1-74. This plea, again has not been substantiated by leading any evidence. I need hardly state that pleadings are no substitute to evidence and so, in the absence of any evidence to substantiate the above plea, the evidence of the Petitioner, coupled with Exs. W6 to W8 has to be accepted so as to find that his services were regularised and that he was given the status of a permanent employee even by December 1971.

11. Even assuming that the Petitioner was not given the status of a permanent employee, his services cannot be terminated without complying with the mandatory provisions of Section 25-F of the I. D. Act, since he had by the date of termination put in a continuous service of more than one year. Probably, realising this position, the management has come forward with a plea that the termination affected for continued ill-health, does not amount to retrenchment, as defined in Section 2(po) of the I. D. Act, so as to attract the

provisions of Sec. 25-F. Indeed, one of the exceptions provided in Sec. 2(po) is continued ill health, as a consequence of which termination on that ground is excluded from the definition of 'Retrenchment'. It cannot therefore be denied that termination of Petitioner's service does not amount to retrenchment, if it was really on the ground of his continued ill-health. The onus of proving this squarely lies on the management who has examined Dr. U. Brahmaji Rao, Cardiologist to prove that the services of the Petitioner were terminated only because of his continued ill-health. I will now examine the evidence of the Cardiologist who is examined as M.W. 1 and see how far the onus that lies on the management has been discharged in the light of Petitioner's denial of his having ever been examined by M.W. 1.

12. M.W. 1 has deposed that he examined one Mr. Venkatesham, who was referred to him by Dr. Joshi, Sr. Medical Officer of Indian Airlines, on 5-1-1972 and found that two valves in his heart were damaged due to rheumatic fever and that therefore he recommended that the said Venkatesham will not be suitable for employment in Airlines. Ex. M3 is the opinion given by M.W. 1 in that regard. It is admitted that Dr. Joshi, must have sent Mr. Venkatesham to him with a requisition and that the said requisition must have been returned to Dr. Joshi along with his opinion covered by Ex. M3. It is further the evidence of M.W. 1 that there is no possibility of the patient regaining normalcy even after treatment, unless he undergoes an operation and that such a person will not be able to discharge any duties involving manual labour. He categorically denied the suggestion that he gave Ex. M3 without examining any person by name Venkatesham. I am not for a moment prepared to give any credence to the above suggestion as I am sure that a reputed doctor like M.W. 1 will not stoop to such things, even if he was asked to do so by any known person of friend. What remains to be seen is whether it was the Petitioner herein, who was examined by M.W. 1 on the requisition of Dr. Joshi?

13. It is pertinent to note that neither the requisition under which the Petitioner is said to have been referred to M.W. 1 is filed nor the management has chosen to examine Dr. Joshi who is said to have referred the Petitioner to M.W. 1. Ex. M3 is not a medical certificate but only an opinion given by M.W. 1 with regard to the physical condition of Mr. Venkatesham whom he examined. There is nothing in Ex. M3 to fix the identity of the person examined. Petitioner is described as Mr. K. Venkatesh in all the correspondence and other documents filed on either side whereas the person whom M.W. 1 examined is described as Mr. Venkatesham. Significantly enough, the management did not also take any steps to get the Petitioner identified by M.W. 1 as the person who was examined by him and that Ex. M3 relates to him. This, the management could have easily done, by asking the Petitioner to be present in Court when M.W. 1 was examined. This failure on the part of the management goes a long way to support the stand taken by the Petitioner that he was never examined by M.W. 1. If Ex. M3 relates to the Petitioner, that must have been mentioned in the letter under which, Dr. Joshi, is said to have sent all the medical reports including the X-rays to the C.M.O. at Delhi. Even his decision is not filed before this Tribunal though it is pleaded that the service of the Petitioner was terminated on the advise of the C.M.O.

14. This apart, the inordinate delay with which the management moved in the matter, serves as another strong circumstance to entertain a reasonable doubt by any one that the person examined by M.W. 1 might not be the Petitioner. Admittedly, M.W. 1 examined one Mr. Vankatesham on 5-1-1972 and also issued Ex. M3 on the same day. Inspite of it, it is rather curious to note that the Petitioner was allowed to continue in service till 7-1-1974. If the Petitioner was the person whom M.W. 1 examined and recommended that he was not fit to be engaged by the Airlines, he would not have certainly been continued in service for so long a period after the receipt of Ex. M3. No one is examined on behalf of the management in order to explain why there was such undue delay in terminating the services of the Petitioner. This would certainly render the stand taken by the management incredible.

15. There is yet another circumstances which makes me to disbelieve the fact that the Petitioner was the person who was referred to M.W. 1 by Dr. Joshi the Sr. Medical Officer of the Indian Airlines. As seen from the judgement of the

High Court in W.P. 2317/75, which is marked as Ex. W 14 the management appears to have urged before the Conciliation Officer that the Petitioner's services were terminated as he was found to be a T.B. patient. It is admitted that X-rays of the Petitioner were taken and these are marked as Exs. M1 and M2. They do not, as per the evidence of M.W. 1 indicate any symptoms of T.B. or any other lung disease. It therefore follows that there is absolutely no truth in the stand taken by the management before the Conciliation Officer with regard to the ailment with which the Petitioner was alleged to be suffering. If Ex. M3 relates to the Petitioner the management would not have certainly attributed T.B. to the Petitioner instead of stating that he had heart disease. Failure on the part of the management to even disclose the exact ailment with which the Petitioner was supposed to be suffering, at the earliest opportunity, leads to one and the only irresistible conclusion that Ex. M3 does not relate to the Petitioner. It is not as if the management was not having Ex. with them by the date of conciliation meeting, because the Petitioner moved the conciliation officer only after his services. Where terminated i.e. in April 1974 whereas, Ex. M3 was issued on 5-1-1972 itself. It may also be noted that the management had not even referred to the opinion given by M.W. 1 at any time before the dispute was referred to this Tribunal. In Ex. W12 dated 26-2-1974 the management has mentioned that the Petitioner was declared to be unfit by the Sr. Medical Officer without disclosing as to when exactly such a declaration was made and the grounds on which such a declaration was made. That opinion given by the Sr. Medical Officer is also not filed and this is sufficient to draw an inference adverse to the management. I am therefore compelled to hold that the Petitioner was not the person who was referred to M.W. 1 and that Ex. M3 does not relate to him. It is manifest even from the evidence of M.W. 1 that the Petitioner had no symptoms of T.B., or any other lung disease. On their own showing, services of the Petitioner were terminated by the management only on the ground that he was a T.B. patient which stand for obvious reasons has been given up before this Tribunal by the management. All this leads to an inevitable conclusion that the stand taken by the management that the services of the Petitioner were terminated only on account of his continued ill health or that he was found to be medically unfit is nothing but false. I am only distressed to note than a reputed Corporation like Indian Airlines has resorted to set up a false and untenable plea to get rid of a small employee like the Petitioner. Instead of gracefully offering to take back the Petitioner into service, the management made a last minute effort to direct the Petitioner to undergo medical examination once again, taking advantage of the fact that the Petitioner in his evidence expressed his readiness to undergo medical examination provided the management takes him back into service as a condition precedent. That application of the management was dismissed by me finding that there is no justification for such request. To show that his heart is quite sound without any signs of abnormality, the Petitioner has also filed the cardiogram marked as Ex. W18. Though M.W. 1 stated on going through Ex. W18 that it does not show any abnormality in the heart or its valves, that in my opinion cannot be taken into consideration unless it is established by examining the Cardiologist who took the cardiogram that it relates to the Petitioner. However, the fact remains that the management has miserably failed to substantiate its plea that the Petitioner was or is medically unfit to be retained in the job.

16. Once the management failed to substantiate its plea that services of the Petitioner were terminated for his continued ill-health or that he was found to be medically unfit to be continued or retained in service, its action in terminating the service of the Petitioner must be held to be illegal. Such termination, of the service of a person who had admittedly put in a continuous service of more than one year, amounts to retrenchment as defined in Sec. 2(oo) of the I. D. Act, thereby attracting Sec. 25-F of the Act. It is not in dispute that the Petitioner was not given one month's notice or was paid notice pay and retrenchment compensation at the time of termination. While so, it cannot but be held that the termination effected is in violation of the mandatory provisions of Sec. 25-F of the I.D. Act, which renders the same to be illegal.

17. What remains to be considered is the relief to which the Petitioner would be entitled. The normal relief to which a person whose termination is found to be illegal, is reinstatement with full back wages and all other attendant benefits. Mere fact that five years have elapsed before the matter

could be decided is no ground to withhold back wages or other benefits, unless it be shown that there have been laches on the part of the Petitioner in raising the dispute or that he was gainfully employed elsewhere in the meantime. In the instant case, the Petitioner was very prompt in raising the dispute and delay in making reference to this Tribunal cannot be attributed to him. If is the Government that has to be blamed as it first declined to make the reference on which the Petitioner had to move the High Court. The Petitioner has also deposed that he remained unemployed all these years as he could not secure any employment inspite of his efforts. He has also filed the registration card issued by the Employment Exchange after he was removed from service and a copy of his application made to I.D.L. Company seeking employment. These are Exs. W15 and W16 respectively. The evidence of the Petitioner that he could not secure an alternative job inspite of his efforts has not been disputed by the management. It has been held by the A.P. High Court, in "B. Bikshapathy Vs. The Depot Manager, A.P.S.R.T.C., Hanumakonda Depot, Warangal and another", reported in 1974(2) A.W.R. 405 that if the statement of the workman, that he remained unemployed during the relevant period, has not been challenged or disputed by the management, that is sufficient to allow him the benefit of full back wages even if he fails to show that he made an honest effort to secure an alternative employment. The very idea of allowing back wages to the workman is to restore him to his former position and status as if he had never been removed from service. The management in the instant case has not placed any material or urged any ground, so as to deny the relief of back wages in addition to the relief of reinstatement. I therefore find that the Petitioner herein is entitled to the relief of reinstatement with full back wages and other attendant benefits.

18. In the result, an award is passed finding that the management of Indian Airlines, Hyderabad is not justified in terminating the services of Shri K. Venkatesh, the Petitioner and that the Petitioner is therefore entitled to the relief of reinstatement with full back wages and all other attendant benefits.

Given under my hand and the seal of this Tribunal, this the 31st day of August, 1979.

Sd/- Illigible
Industrial Tribunal

APPENDIX OF EVIDENCE

Witnesses examined for the Workmen :

W.W. 1.—Sri K. Venkatesh.

For Management :

M.W. 1 Dr. U. Brahmaji Rao.

Documents exhibited for Workmen :

Ex. W1.—Casual appointment order Hybad. PER/EST/3741 dated 30/31-7-1970 issued by Station Head, Indian Airlines, Begumpet to Sri K. Venkatesh.

Ex. W2.—Order No. Hyd. PER/EST/3694 dated 28/29-7-1970 issued by the Management to Sri K. Venkatesh to appear before the Sr. Medical Officer, I.A., Begumpet, for Medical examination for the casual post of cleaners.

Ex. W3.—Call letter No. I/5714/68 sent by the Employment Exchange to Sri K. Venkatesh.

Ex. W4.—Casual appointment order REF:MDS:PER-EST: (24) : 6512 dated 27th August, 1970, appointing him as a cleaner for a period of two months on a daily rate of Rs. 5.50 P.s.

Ex. W5.—Copy of the Communication No. Hyd./PER/EST/6359, dated 14-12-1971 sent to the Medical Officer by the Personnel Officer with regard to the medical examination of Sri K. Venkatesh along with a few others.

Ex. W6.—Copy of the Regularisation order Hyd./PER/EST/2196 dated 4-5-1972 issued to Sri K. Venkatesh by the Chief Engineer, Indian Airlines, Hyderabad.

Ex. W7.—Copy of the undertaking by Sri K. Venkatesh.

Ex. W8.—Copy of application dated 7-1-1974 of Sri K. Venkatesh to the Station Head, Indian Airlines, Begumpet, Hyderabad, with regard to assign reasons as to why he was not permitted to resume duty.

- Ex. W9.—No. Hyd/PER/EST, 168 dated 21-1-1974 issued by Indian Airlines, Hyderabad to Sri K. Venkatesh.
- Ex. W10.—Copy of the representation dated 28-1-1974, made by Sri K. Venkatesh to the Management.
- Ex. W11.—Copy of the reminder dated 16-2-1974 made by Sri K. Venkatesh to the Management.
- Ex. W12.—Letter Hyd/PER/IR-1238 dated 26-2-1974 addressed by Station Head in Indian Airlines, Hyderabad to Sri K. Venkatesh.
- Ex. W13.—Permit No. 268 (Gate pass) issued by the management to Sri K. Venkatesh.
- Ex. W14.—Certified copy of the Judgement of the High Court of Andhra Pradesh in W.P. No. 2317 of 1975.
- Ex. W15.—Registration card No. F/2801/79 of Sri K. Venkatesh issued by the Employment Exchange, Hyderabad.
- Ex. W16.—Copy of the application dated 12-4-1975 of Sh. K. Venkatesh to the Works Manager, Indian Detonators Ltd., Kukatpalli, Hyderabad.

Ex. W17.—Letter No. Hyd/PER/EST/408 dated 17-8-69 by the Indian Airlines to Sri K. Venkatesh, Interview for the post of cleaner.

Ex. W18.—Cardiograph of Sri K. Venkatesh.

Documents exhibited for the Management :

- Ex. M1.—Medical certificate dated 21-1-1972 issued by Dr. K. R. Vittal Rao, M.D. (Path) to Sri K. Venkatesh, with regard to the result of the Blood ESR.
- Ex. M1(a).—X-ray of Sri K. Venkatesh taken on 21-1-72.
- Ex. M2.—Two X-rays of Sri K. Venkatesh taken on 31-12-1971.
- Ex. M3.—Medical opinion certificate dated 5-1-72 issued by Dr. U. Brahmaji Rao to Sri K. Venkatesh.

G. SADASIVA REDDY,

Industrial Tribunal

[No. L-11011(3)/75-D.II(B)]

HARBANS BAHADUR, Desk Officer.